

Disclaimer- This report was prepared for Sapere Research Group, to inform their work on the Upper North Island Supply Chain Strategy. It does not represent the views of the Ministry of Transport.

# **UPPER NORTH ISLAND SUPPLY CHAIN STRATEGY**

## **Planning Evaluation**

Prepared for Sapere Research Group

April 2020

## TABLE OF CONTENTS

<b>1.</b>	<b>Introduction</b>	<b>2</b>
	Key Conclusions	3
	Methodology	5
	Assumptions	6
	Structure of the Report	8
<b>2.</b>	<b>New Zealand Coastal Policy Statement</b>	<b>10</b>
<b>3.</b>	<b>Introduction</b>	<b>14</b>
<b>4.</b>	<b>Ports of Auckland</b>	<b>15</b>
	Regional and District Planning Provisions	17
	Key Consenting Issues	20
	Ports of Auckland RMA Approval Strategy	23
<b>5.</b>	<b>Northport</b>	<b>25</b>
	Regional and District Planning Provisions	26
	Key Consenting Issues	30
	Northport RMA Approval Strategy	32
<b>6.</b>	<b>Port of Tauranga</b>	<b>35</b>
	Regional and District Planning Provisions	36
	Key Consenting Issues	42
	Port of Tauranga RMA Approval Strategy	44
<b>7.</b>	<b>Firth of Thames: Kawakawa Bay</b>	<b>47</b>
	Regional and District Planning Provisions	48
	Key Consenting Issues	52
	Firth of Thames Kawakawa Bay RMA Approval Strategy	55
<b>8.</b>	<b>Firth of Thames: Waimango Point</b>	<b>57</b>
	Regional and District Planning Provisions	57
	Key Consenting Issues	62
	Firth of Thames Waimango Point RMA Approval Strategy	64
<b>9.</b>	<b>Manukau Harbour: Central Manukau Harbour</b>	<b>67</b>
	Regional and District Planning Provisions	68
	Key Consenting Issues	71
	Central Manukau Harbour RMA Approval Strategy	73
<b>10.</b>	<b>Manukau Harbour: Puhinui</b>	<b>75</b>
	Regional and District Planning Provisions	75
	Key Consenting Issues	79
	Puhinui RMA Approval Strategy	82
<b>11.</b>	<b>Manukau Harbour: Hikihiki</b>	<b>84</b>

	Regional and District Planning provisions	84
	Key Consenting Issues	87
	Hikihiki RMA Approval Strategy	90
<b>12.</b>	<b>Inland Port Kumeu</b>	<b>91</b>
	Regional and District Planning Provisions	91
	Key Consenting Issues	93
	Inland Port Kumeu RMA Approval Strategy	95
<b>13.</b>	<b>Comparative Analysis</b>	<b>97</b>
<b>14.</b>	<b>Estimated Timeframes of RMA Approval and Costs</b>	<b>101</b>
	Timeframes for RMA Processes	101
	Timeframes and costs for each site option	103
<b>15.</b>	<b>Alternative Planning Solutions</b>	<b>108</b>
	Designations	109
	Amendment to the NZCPS	110
	Special Legislation for Port Development	110
<b>16.</b>	<b>Conclusions</b>	<b>111</b>

## LIST OF FIGURES

Figure 1:	Options location map.....	3
Figure 2:	Possible expansion works at the Ports of Auckland.....	16
Figure 3:	Zoning of the Ports of Auckland and surrounds under the AUP. ....	17
Figure 4:	Possible development options at Northport.....	26
Figure 5:	Zoning of Northport and surrounds under the Whangārei District Plan.....	27
Figure 6:	Zoning of Northport and surrounds under the Proposed Northland Regional Plan. ....	28
Figure 7:	Possible expansion works at the Port of Tauranga.....	36
Figure 8:	Zoning of the Port of Tauranga and surrounds under the Tauranga City Plan..	38
Figure 9:	Zoning of the Port of Tauranga and surrounds under the Bay of Plenty Regional Coastal Environment Plan.....	39
Figure 10:	Kawakawa Bay location.....	47
Figure 11:	Reclamation concept diagram for Kawakawa Bay.....	48

Figure 12: Zoning of the Kawakawa Bay site and surrounds under the AUP. ....	49
Figure 13: Waimango Point site.....	57
Figure 14: Zoning of the Waimango Point site and surrounds under the AUP.....	58
Figure 15: Central Manukau Harbour site (7A).....	67
Figure 16: Concept reclamation plan.....	68
Figure 17: Zoning of the Central Manukau Harbour site and surrounds under the AUP. ..	69
Figure 18: Zoning of the Puhinui site and surrounds under the AUP.....	76
Figure 19: Zoning of the Hikihiki site and surrounds under the AUP. ....	85
Figure 20: Location map of Kumeu.....	91
Figure 21: Zoning of the Kumeu Inland Port site and surrounds under the AUP.....	92

## LIST OF TABLES

Table 1: Summary of findings.....	3
Table 2: Comparison of key consenting issues of all site options.....	98
Table 2: RMA Approvals Process Timeframes and Costs Approximations.....	105

## LIST OF APPENDICES

Appendix A: New Zealand Coastal Policy Statement Provisions
Appendix B: Summary of Relevant Planning Provisions
Appendix C: Ports of Auckland Planning Summary
Appendix D: Northport Planning Summary
Appendix E: Ports of Tauranga Planning Summary
Appendix F: Kawakawa Bay Planning Summary
Appendix G: Waimango Point Planning Summary
Appendix H: Central Manukau Planning Summary



Appendix I: Puhinui Planning Summary

Appendix J: Hikihiki Planning Summary

Appendix K: Kumeu Planning Summary

# **Part 1 – Report Introduction**

## 1. INTRODUCTION

- 1.1 The Upper North Island Supply Chain Strategy Working Group (“**the Working Group**”) has recently conducted a comprehensive review of the Upper North Island’s logistics and freight infrastructure to ensure New Zealand’s supply chain is fit for purpose in the long term.<sup>1</sup> One of the key findings of the review is that the Ports of Auckland’s freight operation in the Auckland Central Business District (“**CBD**”) is no longer economically or environmentally viable, and is constrained by landside infrastructure failure. To address this issue, the Working Group has recommended that freight operations at the Ports of Auckland be progressively closed.
- 1.2 The Ministry of Transport is now evaluating the viability of options for the expansion of port infrastructure in the Upper North Island in the event that the Government decides that freight operations at the Ports of Auckland should be closed. The options being considered include:
- The relocation of freight operations to Northport;
  - The relocation of freight operations to the Port of Tauranga;
  - The establishment of a new island port within the Firth of Thames, located southeast of Ponui Island (herein referred to as the Kawakawa Bay site);
  - The establishment of a new port at Waimango Point within the Firth of Thames (herein referred to as the Waimango<sup>2</sup> Point site);
  - The establishment of a new port within Central Manukau Harbour (herein referred to as the Central Manukau Harbour site);
  - The establishment of a new port in Manukau Harbour, located between Auckland Airport and Puhinui Creek (herein referred to as the Puhinui site);
  - The establishment of a new port within the Papakura Channel, west of Hikihiki Bank (referred to herein as the Hikihiki site); and
  - The establishment of inland based port infrastructure on the outskirts of Kumeu.
- 1.3 Consideration is also being given to a ‘base case’ expansion option at the Ports of Auckland.
- 1.4 The location of these options is illustrated in Figure 1 below.

---

<sup>1</sup> Report titled *Transforming Auckland; Transforming Northland, Final Report of the Upper North Island Supply Chain Working Group* (November 2019).

<sup>2</sup> It is understood that the actual name for this site is Waimango Point, however that references to Waimangu Point in other documents utilised for this assessment are the result of a historical typographical error.

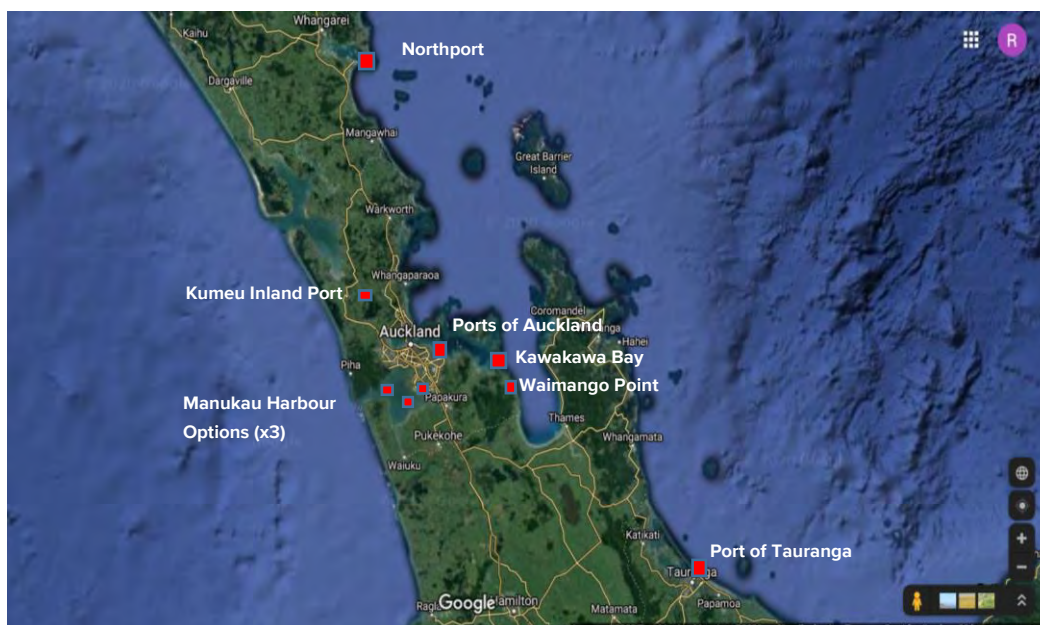


Figure 1: Options location map.

- 1.5 The purpose of this report is to provide a high level evaluation of the known environmental values at each site, and to describe how these values would bear on the ability to obtain the necessary approvals required under the Resource Management Act 1991 (“**RMA**” or “**the Act**”). The report also identifies the key risks and challenges associated with securing these approvals and sets out high level consenting strategies for each site.
- 1.6 A comparative analysis of the known environmental values present at the sites is provided to assist with evaluating the viability of the alternative options.

## KEY CONCLUSIONS

- 1.7 Based upon the high level evaluation undertaken in this report, including the environmental values associated within each site and the interplay of the relevant national, regional and district planning documents, the establishment of ‘greenfield’ port infrastructure is likely to present considerable consenting challenges – primarily in light of the (unbalanced) expectations for the management of environmental effects stemming from the New Zealand Coastal Policy Statement (“**NZCPS**”). A summary of key findings is provided in Table 1 below.

Table 1: Summary of findings

Site	Summary of Findings
Existing Ports	<ul style="list-style-type: none"> <li>The Ports of Auckland and Northport are considered to present viable options for expansion / enhancements of port facilities, subject to the appropriate management of</li> </ul>

	<p>potential effects on the environment and Mana Whenua values.</p> <ul style="list-style-type: none"> <li>• The Port of Tauranga, and more specifically, Sulphur Point, is considered to present a potentially viable option for expansion of port facilities, with potential imitations to development (at height) arising from Tauranga Airport aircraft slope surfaces and viewshafts to Mauao.</li> </ul>
Firth of Thames Sites	<ul style="list-style-type: none"> <li>• It is considered that obtaining the necessary resource consents to establish and operate a new port at the Kawakawa Bay site is unlikely to be viable. Given the clear direction within the provisions of the Auckland Unitary Plan – Operative in Part (“<b>AUP</b>”) (which give effect to Policies 11, 13 and 15 of the New Zealand Coastal Policy Statement (“<b>NZCPS</b>”)) to avoid all effects on outstanding natural landscapes and features, and to avoid significant adverse effects on high natural character areas and indigenous biodiversity and other seascapes, it is considered likely that designing a consentable port development will be very difficult.</li> <li>• While the Waimango Point site may be able to be designed and sited so as to avoid areas of particular significance in the AUP, the effects that emanate from construction and subsequent modification to the coastal marine area are likely to be sufficiently adverse to independently challenge parts of the objectives / policies of the plan. More detailed work on construction methodology and specific mitigation strategies to address such issues may assist to ameliorate some of these policy concerns.</li> </ul>
Manukau Harbour Sites	<ul style="list-style-type: none"> <li>• When compared to other alternative greenfield sites, the Manukau Harbour sites have relatively fewer identified significant ecological and outstanding landscape and natural character values to contend with. Notwithstanding this, it is considered that obtaining the necessary resource consents to establish and operate a new port in Central Manukau Harbour will present considerable challenges. Similar to the Kawakawa Bay site, given the clear direction within the provisions of the AUP to avoid significant adverse effects on indigenous biodiversity and other seascapes, it is considered likely that this option will be difficult to consent primarily due to its natural seascape values.</li> <li>• The Puhinui and Hikihiki sites are surrounded by areas of broadly defined significant marine and terrestrial ecology,</li> </ul>

	<p>areas of outstanding natural character and areas of significant value to Mana Whenua. Similar to the Kawakawa Bay site, given the clear direction within the AUP to avoid all effects on outstanding natural character and landscapes, and to avoid significant adverse effects on indigenous biodiversity and other seascapes, it is considered likely that these options will be difficult to consent. If it proves viable to site and design the ports to avoid identified significant natural character and landscape areas, the prospect of consents being obtainable is improved. This will require some finer grained analysis of these values should one of these site options be pursued further.</p>
Kumeu Inland Port	<ul style="list-style-type: none"> <li>Based on the absence of any significant ecological, landscape or character values in this area, the consenting challenges for an inland port at Kumeu are significantly lower than the coastal based options identified elsewhere in the Auckland Region. While the RMA approval phase of such a development will not be without its challenges, with well-considered site configuration and mitigation techniques, these could be overcome.</li> </ul>

## METHODOLOGY

1.8 To evaluate each of the options noted above, a detailed desk-top planning analysis of each of the sites has been undertaken. This has included:

- A review of the relevant national policy documents prepared under the RMA, particularly as they relate to development within the coastal environment (except for the inland port option at Kumeu);
- A review of other relevant documentation (including recent approvals under the RMA) in order to assist in identifying the environmental values that might exist at each site;
- A review of the policy framework set out in regional policy statements, regional coastal plans and district plans where relevant; and
- A review of the consenting requirements set out in regional coastal plans and district plans.

1.9 Due to the high level nature of the analysis, no detailed technical assessments (such as landscape or ecological assessments) have been undertaken. Nor have the sites been assessed on the ground. Instead, reliance has primarily been placed on the relevant policy statements and plans to identify the key environmental values ascribing to each site and the issues that are likely to present through any required consenting process under the RMA.

- 1.10 From this process, the key consenting challenges and risks have been identified for each alternative site option, as well as a high level strategy for addressing these challenges.
- 1.11 The evaluation of the alternative options:
- Briefly outlines the proposal for each site (insofar as that is known);
  - Identifies the key environmental values for each site utilising information contained in the relevant regional and district plans and, in some cases, other available reports;
  - Provides a high level of evaluation of the key regional and district planning policy directives that would require consideration during the RMA approval process. For this evaluation, any particularly directive policies have been identified and assessed. As will be seen later in this report, such matters can bear heavily on the RMA approvals process, particularly in the coastal marine area. A detailed analysis of all of the relevant objectives and policies has been carried out for each site; and
  - Identifies the likely consents required, the key environmental and consenting risks associated with those consents, and the feasibility of successfully navigating those risks.
- 1.12 In the absence of detailed environmental effects assessments, the evaluation in Part 2 of this report has primarily focused on the identified environmental areas and values assigned to each site, as these will likely have the greatest bearing on the success or otherwise of any future RMA approval process. This report has not evaluated the efficacy of the processes undertaken by the respective regional and local authorities in ascribing the environmental values in question. For sites that ultimately remain in contention, a finer grained assessment of the environmental values will be required, along with an assessment of the effects arising from the port infrastructure and activities at the respective sites.

## **ASSUMPTIONS**

### **Activities evaluated**

- 1.13 For the purpose of this report, it has been assumed that for all of the sites, some, or all of the following activities, will be required (with the exception of the Kumeu inland port):
- Within the coastal marine area:
    - Reclamation (scale dependent on location);
    - Occupation of the coastal marine area;
    - Structures in the coastal marine area;
    - Discharges – construction;
    - Dredging (capital and/or maintenance);
    - Disturbance of the foreshore and/or seabed; and

- Shipping activities.
- Land based activities
  - Coastal port activities: in general, includes activities normally associated with the operation of vessels and other water related activities; cargo, handling and storage; embarking, disembarking and transit of passengers; launching, retrieval and storage of vessels; berthage and mooring activities; associated marshalling, parking, and manoeuvring of vehicles and trains, maintenance activities associated with port structures and development; and ancillary activities to the above.

1.14 The following activities will be required at the inland port at Kumeu:

- Land based activities
  - Inland port activities: in general, includes activities normally associated with cargo and freight, handling and storage; associated marshalling, parking, and manoeuvring of vehicles and trains, maintenance activities associated with port structures and development; and ancillary activities to the above.

## **Exclusions**

### ***Excluded Activities***

1.15 A number of assumptions have been made as part of this evaluation of options. In particular, the following matters have not formed part of the consenting evaluation due to them being less critical to confirming the consentability of the various options or due to them being subject to evaluations in other reports:

- Water servicing requirements (i.e. waste water, stormwater or drinking water supply), including associated water takes and discharges;
- Any air quality or air discharges;
- Other activities, such as storage and use of hazardous substances, contaminated land matters, natural hazards matters, and transportation matters (such as access design, parking requirements);
- The economic viability or otherwise of port development at each site; and
- The operational and functional suitability of the sites for shipping purposes.

1.16 It is acknowledged that extensive road and rail connections to the sites will be required for some of the options. For the new port sites in the Firth of Thames, considerable infrastructure upgrades are likely to be required as there are currently no rail or state highway connections in proximity to these sites. Any roading and rail connections to the established road and rail network has been considered at a high level, reflecting the level of uncertainty about where these connections could be located.



- 1.17 It is noted that, given the linear nature of new road and rail infrastructure, it is plausible for this infrastructure to be designed to avoid areas of higher environmental, cultural or social value. As such, the location of required road and/or rail connections is not expected to be the determinative factor to the evaluation of alternative sites – at least from a consenting perspective. Furthermore, it is noted that road and rail infrastructure may be able to be authorised via designation (providing some additional permitting flexibility).

#### ***Proposed National Policy Statements***

- 1.18 This evaluation does not take into consideration proposed national policy statements or standards, as these documents are still in the promulgation phase at the time of drafting this report. For the avoidance of doubt, this includes:
- The Proposed National Policy Statement for Urban Development;
  - The Proposed National Policy Statement for Highly Productive Land; and
  - The Proposed National Policy Statement for Indigenous Biodiversity.

#### ***Marine and Coastal Areas Act 2011 / Treaty of Waitangi Claims and Settlement***

- 1.19 A separate workstream is evaluating each of the site options with respect to Mana Whenua values and any implications for Treaty of Waitangi claims and settlements. Accordingly, these matters have not been addressed in detail in this report.

### **STRUCTURE OF THE REPORT**

- 1.20 The report is structured as follows:

#### **PART 1 REPORT INTRODUCTION**

**Section 1:** Section 1 provides an introduction to the report, its purpose and any assumptions made during its promulgation.

**Section 2:** Section 2 provides a high level review of the NZCPS. As set out in this section of the report, the NZCPS is the preeminent RMA policy document for the coastal environment and sets a national framework for regional policy statements and regional and district plans. Accordingly, the NZCPS has a significant bearing on the RMA approval process for developments within the coastal marine area.

#### **PART 2 EVALUATION OF SITES**

**Section 3** Section 3 provides an introduction to the site evaluation.

- Sections 4 to 12:** Sections 4 to 12 provide a high level evaluation of each of the alternative port options being considered.
- Sections 13** Section 13 provides a high level comparative analysis of the consentability of each site.
- Section 14** Section 14 provides a high level order of costs and timeframes for projects of significant scale.

**PART 3                      ALTERNATIVE PLANNING SOLUTIONS**

- Section 15** Section 15 identifies potential alternative planning solutions for obtaining the necessary approvals to develop a port where approvals in the RMA context are considered less viable.
- Section 16** Is the conclusion.

## **2. NEW ZEALAND COASTAL POLICY STATEMENT**

- 2.1 The purpose of the NZCPS is to state objectives and policies in order to achieve the overarching purpose of the RMA in relation to the coastal environment.<sup>3</sup>
- 2.2 All regional policy statements, regional coastal plans and district plans must be prepared in accordance with the provisions of the NZCPS.<sup>4</sup> The NZCPS, therefore, guides the policy framework for all planning documents pertaining to the coastal environment throughout New Zealand.
- 2.3 The NZCPS contains a number of enabling policies that would assist the RMA approval process for any of the coastal port options identified. However, the NZCPS also includes a range of policies which are specifically directed at the protection, or avoidance, of adverse effects on, significant coastal values. The ramifications of this tension are set out in the context of each option discussed in sections 4 to 12 of this report, however it is noteworthy that the High Court has recently reinforced that enabling policies of the NZCPS (such as Policy 9) are 'subservient' to the more directive policies focussed on the avoidance of adverse effects.<sup>5</sup>
- 2.4 The full wording of the objectives and policies in the NZCPS referred to in this report are included in **Appendix A**.

### ***Policy 9 Ports***

- 2.5 Policy 9 of the NZCPS specifically relates to ports. The policy recognises that a sustainable and effective national transport system requires an efficient network of safe ports, servicing national and international shipping, with efficient connections with other transport modes. The primary focus of this policy is considered to be on enabling the continued use and development of existing ports. This focus on existing ports is a little unhelpful insofar as new port development is concerned, and perhaps reflects that at the time the NZCPS was promulgated, that significant new greenfield port development was not foreseen.

### ***Policy 10 Reclamation***

- 2.6 Reclamation activities within the coastal marine area are specifically addressed in Policy 10 of the NZCPS. Policy 10(1) seeks to avoid reclamation unless (i) land outside of the coastal marine area is not available for the proposed activity, (ii) the activity can only occur in or adjacent to the coastal marine area, (iii) there are no practicable alternative methods (to reclamation) of providing the activity, and (iv) the reclamation will provide significant regional or national benefit. It would be reasonable to assume that all of the coastal port

---

<sup>3</sup> Section 56 of the RMA.

<sup>4</sup> Sections 61(1)(da), section 66(1)(ea) and section 74(1)(ea) of the RMA respectively.

<sup>5</sup> Environmental Defence Society v Otago Regional Council [2019] NZHC 2278.

sites could demonstrate that the matters set out in this policy can be met and that reclamation avoidance is not a practicable option.

- 2.7 Where reclamation is considered to be the only practicable alternative, Policy 10(2) provides guidance around the design and form of the reclamation and the matters that need to be given particular regard. In summary, this includes consideration of climate change and sea level rise, the use of the reclamation and its visual and aesthetic compatibility with the surrounding environs, the materials used, provision for any public access, effects on cultural landscapes and sites of significance to Mana Whenua, natural hazards and the ability to remedy or mitigate adverse effects.
- 2.8 For the purposes of Policy 10, it has been assumed that with careful engineering design, suitable engagement with Mana Whenua, and the development of appropriate mitigation that the relevant matters could be addressed at each of the coastal sites. These matters may, however, result in limitations around site location, bulk and scale and impose mitigation obligations on the future port operator.
- 2.9 Sub-paragraph (3) requires regard to be had to the extent to which the intended use of the reclamation would provide for the efficient operation of infrastructure, including ports.

***Policy 11 Indigenous biological diversity / Policy 13 Preservation of Natural character / Policy 15 Natural features and landscapes***

- 2.10 Policies 11, 13 and 15 of the NZCPS relate to indigenous biodiversity, natural character, and natural features and landscapes respectively.
- 2.11 Policy 11 addresses indigenous biodiversity. Policy 11(a) seeks to protect indigenous biodiversity within the coastal environment by avoiding adverse effects on more sensitive areas of indigenous biodiversity - such as threatened or at risk indigenous taxa, threatened or naturally rare indigenous ecosystems, habitats and vegetation, naturally rare habitats of indigenous species, nationally significant examples of indigenous community types, and areas set aside for full or partial protection of indigenous biodiversity.
- 2.12 By contrast, sub-paragraph 11(b) seeks to avoid significant adverse effects and avoid, remedy or mitigate other adverse effects in less sensitive indigenous biodiversity - such as the habitats of indigenous species during vulnerable life stages, or habitats that are important for recreational, commercial, traditional or cultural purposes, indigenous ecosystems and habitats vulnerable to modification, and ecological corridors.
- 2.13 A similar cascading management approach is set out within Policy 13 with respect to natural character. Specifically, Policy 13(a) seeks to preserve natural character and protect it from 'inappropriate use and development' by avoiding adverse effects of activities in areas of outstanding natural character. Policy 13(b) requires a lesser level of protection for natural character areas that are not 'outstanding' and states that significant adverse effects

on natural character are to be avoided, and all other effects on natural character are to be avoided, remedied or mitigated.

- 2.14 Policy 15 addresses natural features and natural landscapes. In line with Policies 11 and 13, the cascading approach requires under sub-paragraph (a) that natural features and landscapes (including seascapes) be protected from ‘inappropriate use and development’ by avoiding adverse effects on areas identified as outstanding natural features and outstanding natural landscapes. Sub-paragraph (b) requires that significant adverse effects on other natural features and landscapes (including seascapes) be avoided, and all other effects on those features and landscapes be avoided, remedied or mitigated.
- 2.15 In recent years, the interpretation of these provisions, particularly Policies 13 and 15, has been extensively litigated in the Courts. The most significant of these being the Supreme Court decision *Environmental Defence Society Inc v The New Zealand King Salmon Co Ltd* [2014] 1 NZLR 593. In this decision, the Supreme Court found that the use of terms such as ‘avoid’ has an ordinary meaning of “not allow” or “prevent the occurrence of”.<sup>6</sup> As a result of this interpretation, the language used within Policies 11, 13 and 15 (being as directive as it is) therefore effectively establishes ‘bottom lines’ as the policies all seek to avoid (i.e. not allow or prevent the occurrence of) certain effects in the interests of protecting indigenous biodiversity (Policy 11), preserving natural character (Policy 13) and protecting natural features and landscapes (Policy 15).
- 2.16 Against the backdrop of this jurisprudence, subsequent experience has shown that the NZCPS (and plans prepared post the gazettal of the NZCPS) can present some significant consenting challenges for any new development in the coastal marine area – regardless of its merits or community benefits. In places of outstanding or high natural character or landscape value, or where ecological values are significant, the ‘avoid’ language in Policies 11, 13 and 15 (and the policies in corresponding lower-order plans) can effectively act as a bar to consents being able to be obtained.
- 2.17 When applied to the current context, if any of the port sites are located in areas with significant indigenous biodiversity value, outstanding natural character, or areas with outstanding natural features or outstanding natural landscapes, any adverse effects that arise will need to be avoided, irrespective of the benefits of the infrastructure to New Zealand. With respect to other less sensitive or significant indigenous biodiversity, natural character, natural features and natural landscapes, a lower threshold applies whereby only significant adverse effects are required to be avoided and mitigation and remediation is also available as a management response.

---

<sup>6</sup> Note that decision makes exceptions for minor or transitory effects, however the nature of effects likely to be generated by a new greenfield port development are assumed to extend beyond minor or transitory.

## **Part 2 – Evaluation of Sites**

### **3. INTRODUCTION**

- 3.1 Part 2 of this report provides a high level identification and evaluation of the known environmental values at each of the sites. In addition, based on the methodology described in Part 1 of the report, it describes the key (directive) policy matters that apply and discusses the viability of consenting each option in the RMA context.
- 3.2 For the purposes of this evaluation, it is assumed that all of the coastal site options will involve reclamation (excluding the option at the Ports of Auckland) and that Policy 10 of the NZCPS will apply. As previously discussed, it is assumed that the various matters of assessment set out in that policy can be navigated, although this will depend (amongst other things) on the way that any subsequent detailed infrastructural siting and design is undertaken.
- 3.3 While the evaluation of relevant key provisions in this section focuses on the directive provisions contained within each relevant regional policy statement, regional coastal plan and district plan, all of the relevant provisions have been broadly considered when evaluating each site. A copy of the relevant provisions considered is attached as **Appendix B**.

## **4. PORTS OF AUCKLAND**

- 4.1 The Ports of Auckland is an existing port located on the northern edge of Auckland's Central Business District ("**CBD**"), and interfacing with the Waitematā Harbour.
- 4.2 Road access is available to the port is via Quay Street and Tamaki Drive. Access to State Highway 16 is via two key arterial routes – one via Beach Road and the other via the Strand. The port connects to KiwiRail's North Island Main Trunk rail line via a siding under Tamaki Drive.
- 4.3 The Auckland CBD is located to the south of Quay Street and comprises a mixture of business, residential, and commercial activities.
- 4.4 It is understood that expansion at the Ports of Auckland to increase freight capacity may include one, or all, of the following:
- Proposed northern extension of the Bledisloe Wharf to establish a new berth;
  - Replacement of existing wharf structures at the southern end of the Bledisloe Wharf West;
  - Complete removal of the Marsden Wharf and partial demolition (4300m<sup>2</sup>) of Bledisloe B1 Wharf; and
  - A new seawall south of Marsden Wharf.
- 4.5 Figure 2 below provides an indicative overview of the type of expansion work that could occur at the Ports of Auckland.





The key matters requiring management will likely be effects on the benthic environment, the disposal of dredged material and Mana Whenua values.

## REGIONAL AND DISTRICT PLANNING PROVISIONS

- 4.8 The Ports of Auckland is located within the jurisdiction of Auckland Council. As a unitary authority, Auckland Council undertakes the functions of both a regional and district council. All of the relevant regional and district planning requirements under the RMA, including the Regional Policy Statement for Auckland, are contained within a single document – the AUP.
- 4.9 The AUP was prepared subsequent to the NZCPS being gazetted and is considered to give effect to the directive provisions of the NZCPS.

## Zoning

- 4.10 An overview of the key zones that apply to this site is provided in Figure 3. A fuller analysis of the relevant planning maps relating to this site, including all areas of cultural and heritage significance, is attached in **Appendix C**.
- 4.11 Situated on the edge of the Auckland CBD, the site is located within the Business – City Centre Zone and the Port and Central Wharves Precincts. Directly to the south east of the site is the Strategic Transport Corridor Zone, which contains the adjacent rail network. Immediately beyond the site, on the southern side of Quay Street and Tamaki Drive, the land here is primarily comprised of Business – City Centre Zone.



Figure 3: Zoning of the Ports of Auckland and surrounds under the AUP.

- 4.12 The site is also within the Hauraki Gulf Marine Park, established by the Hauraki Gulf Marine Park Act 2000. This Act recognises that the interrelationship between the Hauraki Gulf, its islands, and catchments, and the ability of that interrelationship to sustain the life-supporting capacity of the environment, are matters of national significance.<sup>9</sup> The provisions of the AUP give effect to the Hauraki Gulf Marine Park Act 2000.

### **Key Environmental Values**

- 4.13 The key environmental values at and in the vicinity of the Ports of Auckland site are set out below. A fuller analysis, including the mapped extent of the various applicable values is set out in **Appendix C**.

### **Ecological Values<sup>10</sup>**

- There are no identified areas of significant ecological value at, or surrounding, the Ports of Auckland site.

### **Natural Character and Landscape Values<sup>11</sup>**

- The eastern edge of the Fergusson Container Terminal is located within a Regionally Significant Volcanic Viewshaft and Height Sensitive Area. The site also forms part of the wider coastal natural character environment.

### **Cultural Values**

- The site is within the Treaty Settlement Statutory Acknowledgement Area in the AUP relating to Ngai Tai ki Tamaki, Ngāti Tamaoho and Te Kawerau a Maki;
- The site does not encroach any Sites and Places of Significance to Mana Whenua identified in the AUP; and
- The site is subject to applications for customary marine title and / or protected customary rights from various Mana Whenua groups.<sup>12</sup>

### **Other values<sup>13</sup>**

- The site is located within the Auckland War Memorial Museum Viewshaft and Contours. The maximum height contours over the site range from 38 m above mean sea level near Quay Street, reducing to 16 m at the northern end of the Fergusson Container Terminal.

---

<sup>9</sup> Section 7 of the Hauraki Gulf Marine Park Act 2000.

<sup>10</sup> As identified in the Auckland Unitary Plan.

<sup>11</sup> As identified in the Auckland Unitary Plan.

<sup>12</sup> <https://www.courtsofnz.govt.nz/the-courts/high-court/high-court-lists/applications-marine-coastal-list-2/>

<sup>13</sup> As identified in the Auckland Unitary Plan and the Hauraki Gulf Spatial Plan.

- The wider Ports of Auckland site has been identified as holding a number of natural and physical qualities and characteristics that contribute towards the amenity values of the area.<sup>14</sup> These include:
  - The Port's proximity to, and connections with, the CBD;
  - The availability of public access to large areas of the wharf, together with the street furnishings and other conveniences provided for visitors to use and enjoy; and
  - The natural environmental features and physical recreational attributes able to be enjoyed, close views of and visual connections with the harbour and its users, and in places, the ability to fish and enjoy relative quietness (in comparison to the city centre).

### **Likely Resource Consents Required**

- 4.14 The AUP sets up an enabling consenting regime for the ongoing operation, use and maintenance of the Ports of Auckland. Within the Port Precinct, the following activities are permitted, subject to compliance with development controls<sup>15</sup> relating to noise and vibration, lighting, natural hazards and building heights:
- Marine and port activities,<sup>16</sup> facilities<sup>17</sup> and accessory structures and services;<sup>18</sup>
  - Reconstruction of existing coastal marine area structures (such as wharves);<sup>19</sup>
  - Additions and alterations to existing coastal marine area structures not otherwise provided for;<sup>20</sup>
  - New buildings and alterations and additions to existing buildings outside of "Area A" of the Port Precinct; and
  - Demolition or removal of buildings or coastal marine area structures.<sup>21</sup>
- 4.15 Notwithstanding the above, the proposed extension of the Ports of Auckland will likely still require a range of resource consents. Based on the information available to date, it is likely that resource consents will be required for the following key activities:

---

<sup>14</sup> Resource Consent CST6032333, Paragraph 152.

<sup>15</sup> Auckland Unitary Plan, Standard I208.6.

<sup>16</sup> Auckland Unitary Plan, Rule I208.4 (A21).

<sup>17</sup> Auckland Unitary Plan, Rule I208.4 (A23).

<sup>18</sup> Auckland Unitary Plan, Rule I208.4 (A26).

<sup>19</sup> Auckland Unitary Plan, Rule I208.4 (A30).

<sup>20</sup> Auckland Unitary Plan, Rule I208.4 (A32).

<sup>21</sup> Auckland Unitary Plan, Rule I208.4 (A33).

- If needed, maintenance dredging requires a resource consent for a controlled activity (within the Port Precinct);<sup>22</sup>
- If needed, additional capital dredging will require a resource consent (within the Port Precinct) for a restricted discretionary activity;<sup>23</sup>
- Disturbance of the coastal marine area requires a resource consent for a restricted discretionary activity for between 1,500 - 10,000 m<sup>3</sup> of sediment movement within a calendar year, or a discretionary activity if sediment movement exceeds 10,000 m<sup>3</sup>; <sup>24</sup>
- Wharves, including alterations and additions to these structures, requires resource consent as a restricted discretionary activity;<sup>25</sup>
- Vibratory piling requires consent as a restricted discretionary activity;<sup>26</sup>
- Occupation of the coastal marine area where it is already subject to an existing occupation consent, requires resource consent for a restricted discretionary activity;<sup>27</sup> and
- Hard protection structures, associated with the construction of a new sea wall, requires resource consent for a Restricted Discretionary Activity. <sup>28</sup>

4.16 A full rule assessment is included in **Appendix C**.

## KEY CONSENTING ISSUES

### Ecological Values

- 4.17 The provisions of the AUP require protection of areas of significant ecological value from adverse effects and the enhancement of indigenous biodiversity.<sup>29</sup> This includes by avoiding all adverse effects on threatened, at risk or rare indigenous species, ecosystems and habitats, as well as areas of regular or sustained migratory bird roosting, nesting and feeding areas.<sup>30</sup> This approach generally aligns with Policy 11(a) of the NZCPS.
- 4.18 In accordance with Policy 11(b) of the NZCPS, the AUP also requires that significant adverse effects be avoided on other areas of indigenous biodiversity with lesser ecological significance. All other effects must be avoided, remedied or mitigated.<sup>31</sup>

---

<sup>22</sup> Auckland Unitary Plan, Rule I208.4 (A5).

<sup>23</sup> Auckland Unitary Plan, Rule I208.4 (A6).

<sup>24</sup> Auckland Unitary Plan, Rule F2.19.3 (A34) - (A35).

<sup>25</sup> Auckland Unitary Plan, Rule I208.4 (A24).

<sup>26</sup> Auckland Unitary Plan, Rule F2.19.8 (114).

<sup>27</sup> Auckland Unitary Plan, Rule I208.4 (A38).

<sup>28</sup> Auckland Unitary Plan, Rule I208.4 (A35).

<sup>29</sup> Auckland Unitary Plan, Objectives D9.2(1) and (2).

<sup>30</sup> Auckland Unitary Plan, Policy D9.3(9) and Objectives D9.2(1) and (2).

<sup>31</sup> Auckland Unitary Plan, Policy D9.3(10).

- 4.19 Additionally, development which results in the permanent occupation or use of the foreshore and seabed to the extent that it would reduce the values, function or processes associated with a significant marine ecological area, or would change the physical processes that would destroy, modify or damage any natural features or values of such areas, in a more than minor way, are also required to be avoided under the policies of the AUP.<sup>32</sup>
- 4.20 The Ports of Auckland is not located within any identified ecological areas. The significance of the ecological values in this area were recently assessed as part of Panuku's resource consent application for upgrades and additions to the adjacent Queens Wharf.<sup>33</sup> The outcome of this application demonstrated that any potential effects on indigenous biodiversity could be appropriately managed, and consent was granted. Notwithstanding that assessment, a finer grained analysis of the specific ecological values likely to be impacted by this proposal should be undertaken to confirm that effects on any ecological values at the site can and will be effectively managed.

#### **Natural Values**

- 4.21 The site is not identified as being part of any outstanding or high natural character and landscape value areas. However, the provisions<sup>34</sup> relating to 'coastal natural character' and 'coastal landscapes' in the AUP (which give effect to Policies 13 and 15 of the NZCPS) remain relevant. One such provision requires the avoidance of significant adverse effects and the avoidance, remediation or mitigation of other adverse effects on the characteristics and qualities of natural landscapes and natural features which have particular values, provide a sense of place or identity, or have high amenity value.
- 4.22 The natural character and landscape values of the environment around the Ports of Auckland are, in part, reduced by the presence and use of existing infrastructure. The current site is not identified in any of the relevant plans as being part of any outstanding or high natural character and landscape value areas. This was further confirmed in the resource consent applications by Panuku, where the Commissioners found that:

*"The experts all generally agreed that although the area of water space immediately adjacent to Queens Wharf was natural, in the sense that it was not occupied by structures, the natural character of the inner Waitemata Harbour as a whole was not high, principally due to the extensive modification that has occurred around the foreshore over of the past several hundred years and the regular use that is made of the coastal waters themselves by humans. Based on this analysis of natural character, we were advised that the proposal would have limited if any effects on natural character.*

---

<sup>32</sup> Auckland Unitary Plan, Policy D9.3(11).

<sup>33</sup> Resource Consent CST60323353.

<sup>34</sup> Auckland Unitary Plan, Policy 18.3(3) and Policy E19.3(2).

- 4.23 On this basis, it is anticipated that managing effects of expansion works on natural character and landscape values can be appropriately managed and are unlikely to present the same challenges that will likely exist at other sites identified in this report.

#### **Mana Whenua Values**

- 4.24 The provisions that apply specifically to the Hauraki Gulf in the AUP encourage partnerships with Mana Whenua to protect and enhance environmental resources and values of the Hauraki Gulf that are important to their cultural relationship with the Gulf.<sup>35</sup> The connections held by the various Mana Whenua groups with the Hauraki Gulf, and their interests with respect to land use development in and around the Waitemata Harbour (as documented in the iwi workstream), will require fulsome evaluation for any new port extension.
- 4.25 The consenting of the infrastructure required for the America's Cup 36 in the Wynyard Quarter provides useful context of the interests held by Mana Whenua groups in development concerning the foreshore / seabed and their historical associations with the Waitemata Harbour.

#### **Amenity and Recreation Values**

- 4.26 The AUP recognises that activities within the coastal marine area need to take into consideration the effects of development and activities on amenity and recreation values. This includes by ensuring that use and occupation of the common marine and coastal area by infrastructure avoids, remedies or mitigates adverse effects on public access, recreational use and amenity values,<sup>36</sup> that structures are designed to minimise impacts on natural character and amenity values, and to generally fit with the character of existing built elements.<sup>37</sup>
- 4.27 The proposed expansion activities at the Ports of Auckland are primarily located within operational areas of the Port where public access is already restricted. The Captain Cook Wharf is also proposed to be made available for public use. When this is considered alongside the relevant AUP provisions (which enable further growth and development of the Port),<sup>38</sup> it is likely that overall, the adverse amenity effects of the proposal can and will be appropriately managed.
- 4.28 Notwithstanding the above, recent resource consent applications and public campaigns around the Ports of Auckland have been contentious<sup>39</sup> and have drawn significant public

---

<sup>35</sup> Auckland Regional Policy Statement, Policy B8.5.2(11)-(13).

<sup>36</sup> Auckland Unitary Plan, Policy F2.14.3(5)(b).

<sup>37</sup> Auckland Unitary Plan, Policy F2.16.3(8)(c) and (12)(b).

<sup>38</sup> Auckland Regional Policy Statement, Policy B8.3.2(8) and Auckland Unitary Plan, Objective I208.2(1) and Policies I208.3(1), (2), (7) and (12).

<sup>39</sup> Resource Consent CST60323353 and [2015] NZHC 1382 *Urban Auckland v Auckland Regional Council*.

interest – even for relatively minor further extensions into the Waitemata Harbour. While the amenity (and other) environmental effects arising from this proposal would appear to be manageable when considered in isolation, it should be anticipated any proposed expansion or enhancement of the port will draw considerable public interest and strong opposition from a range of stakeholder groups (e.g. Urban Auckland, Stop Stealing Our Harbour). It may be that perceived social effects, as opposed to biophysical effects, are unable to be avoided or mitigated by any future expansion or enhancement of the port.

## **PORTS OF AUCKLAND RMA APPROVAL STRATEGY**

- 4.29 Based on this high-level evaluation of the environmental values associated with the Ports of Auckland, securing resource consents under the RMA for the expansion / enhancement of the port is considered to be viable.
- 4.30 Being an existing port, the relevant regional and district plans already recognise the importance of the port through bespoke zoning and rules which continue to provide for its ongoing operation and use. For works within the Port Precinct, it is considered that seeking resource consents for the expansion works and associated activities fits comfortably within the planning framework, albeit subject to a detailed assessment of the potential effects of such activities on water quality, ecological values, amenity, noise and cultural values.
- 4.31 Engaging with Mana Whenua would also be essential to assist with developing plans for the Port expansion in a manner that best aligns with, or at least minimises, potential cultural concerns, and to assist in identifying cultural values of particular significance. As already noted, recent developments by Panuku in the Waitemata Harbour have involved significant engagement with Mana Whenua, and the resolution of issues relating to historical associations with the Waitemata Harbour and the reclamation of the coastal marine area that is subject to applications under the Marine and Coastal Area (Takutai) Act 2011.
- 4.32 As noted above, it is expected that any resource consent applications at the Ports of Auckland will draw considerable public interest and strong opposition from a range of stakeholder groups – regardless of the materiality of the proposal and the potential effects on the environment. As such, the consenting strategy for this proposal will need to be supported by robust justification for the proposal, offer wider benefits to Auckland (i.e. enhanced public access) and advanced in sufficient time in order to withstand multiple delays in the consenting process (i.e. via appeals through the Courts).
- 4.33 If the evaluations and Mana Whenua engagement described above demonstrate that the key policy provisions can be achieved, then the preparation of the resource consent applications will need to be advanced. This will likely include:
- Preparation of resource consent applications and assessment of environmental effects. This will likely require technical assessment of the following:



- Effects of the structures and construction activities on Mana Whenua values;
- Effects of dredging and disturbance activities on water quality;
- Effects of the structures and construction activities on benthic and marine ecology;
- Effects of the structures and construction activities on natural character, landscape values and amenity values;
- Construction and operational noise effects;
- Effects of the structures, dredging and construction activities on coastal marine area uses, harbour traffic, navigation and safety; and
- Quantification of benefits of the port expansion (including social effects).

## **5. NORTHPORT**

- 5.1 Northport is an established port located at Marsden Point in the entrance to the Whangārei Harbour.
- 5.2 The site is connected to the road network via State Highway 15, which then connects to State Highway 1. KiwiRail has designated<sup>40</sup> land between Northport and Oakleigh (where it connects with the existing rail network) for rail purposes. It is understood that this rail infrastructure is not currently established.
- 5.3 The Marsden Cove Marina and a residential area are located to the west of the port, and the Marsden Point Refinery is located to the west.
- 5.4 It is understood that expansion at Northport to increase its freight capacity may include one, or all, of the following:
- Expansion to the west of the existing port area for a new drydock located (within the coastal marine area);
  - Expansion to the east of the existing port area for predominantly container management (also within the coastal marine area); and
  - Expansion to the south and south west of the existing port area (outside of the coastal marine area).
- 5.5 Figure 4 below provides an indicative overview of the type of expansion work that could occur at Northport.

---

<sup>40</sup> Refer to Section 15 for a brief description of a designation.

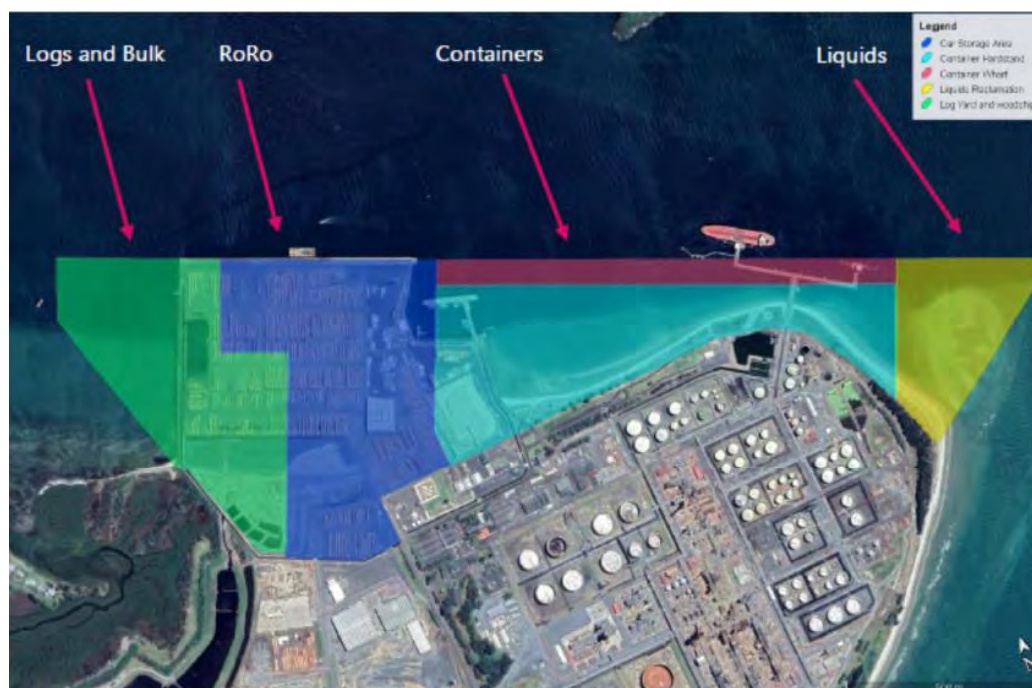


Figure 4: Possible development options at Northport.

## REGIONAL AND DISTRICT PLANNING PROVISIONS

- 5.6 Northport is located within the jurisdiction of the Whangārei District Council and the Northland Regional Council. The key relevant regional and district plans prepared under the RMA, and of relevance to this site include:
- The Northland Regional Policy Statement;
  - The Proposed Northland Regional Plan;
  - The Northland Regional Coastal Plan; and
  - The Whangārei District Plan.
- 5.7 The Proposed Northland Regional Plan is not yet operative. However, the operative Northland Regional Policy Statement and Regional Coastal Plan pre-date the NZCPS being gazetted. For this reason, more consideration has been given to the relevant provisions of the Proposed Northland Regional Plan, which gives effect to the NZCPS, despite several relevant provisions being subject to appeal.

## Zoning

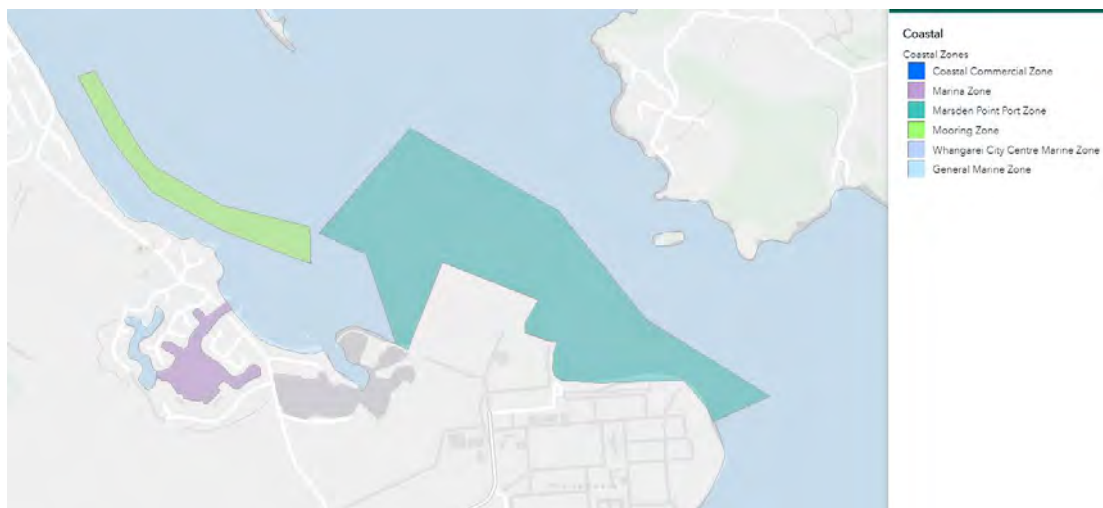
- 5.8 An overview of the key land zones that apply to this site is provided in Figures 5 and 6 below. A fuller analysis of the relevant planning maps relating to this site, including all areas of ecological and landscape significance, is attached in **Appendix D**.

5.9 The site is located within the Marsden Point Port Zone in both the Whangārei District Plan (Figure 5) and the Proposed Northland Regional Coastal Plan (Figure 6). The respective planning maps are shown below. At present, there is port zoned land that is not currently used by Northport. Port expansion activities to the south and south west will occupy this port zoned land and may also occur in the Business 2 and Business 4 zones. The Northland Regional Policy Statement is enabling of regionally significant infrastructure,<sup>41</sup> which includes Northport.



Figure 5: Zoning of Northport and surrounds under the Whangārei District Plan.

<sup>41</sup> The definition of *Regionally Significant Infrastructure* in the Proposed Northland Regional Plan refers to the definition of the same in the Regional Policy Statement, which includes clause (2) Transport (e) Northport, including the adjoining land used for the movement and storage of cargo. Note that this definition has been appealed in the Proposed Northland Regional Plan. It is not subject to appeal in the Regional Policy Statement.



**Figure 6: Zoning of Northport and surrounds under the Proposed Northland Regional Plan.**

### **Key Environmental Values**

- 5.10 The key environmental values at, and in the vicinity of, Northport are summarised below. A fuller analysis, including the mapped extent of the various applicable values is set out in **Appendix D** attached.

### **Ecological Values<sup>42</sup>**

- The entire coastal area of the Northland Region is classified as a Significant Marine Mammal and Seabird Area. This site is known as the Marsden Bay-One Tree Point-Snake Bank/Blacksmith's Creek Estuary complex;
- The Whangārei Harbour, excluding the Marsden Point Port Zone, is identified as a Significant Ecological Area, commencing at the lagoon area to the west of the site and extending over most of the Whangārei Harbour; and
- A Significant Bird Area commences at the lagoon area to the west of the site and extends over most of the Whangārei Harbour.

### **Natural Character and Landscape Values**

- The site is not located in any identified outstanding or high landscape and natural character areas. However, the site forms part of the wider coastal natural character environment;

<sup>42</sup> As identified in the Proposed Northland Regional Plan.

- The lagoon area to the west of the port is classified as a High Natural Character Area;<sup>43</sup> and,
- Mair Bank, which extends west of the oil refinery is identified as a High Natural Character Area within the coastal marine area.<sup>44</sup>

### Cultural Values

- Mair Bank is identified as a Site of Significance to Mana Whenua; and<sup>45</sup>
- The site is subject to applications for customary marine title and / or protected customary rights from various Mana Whenua groups.<sup>46</sup>

### Likely Resource Consents Required

5.11 Expanding the port facilities at Northport will trigger a range of resource consent requirements. Based on the information available to date, it is likely that resource consents will be required for the following activities within the coastal marine area:<sup>47</sup>

- Additions and alterations to structures and occupation of the coastal marine area will require resource consent for a controlled activity;<sup>48</sup>
- All other structures in the coastal marine area, along with their use and occupation, require resource consent for a restricted discretionary activity;<sup>49</sup>
- Dredging, deposition and disturbance requires a resource consent for a discretionary activity<sup>50</sup> where it occurs outside of a Significant Ecological Area.<sup>51</sup> Where the activity occurs within a Significant Ecological Area, the activity is non-complying;<sup>52</sup> and
- Reclamation for *Regionally Significant Infrastructure* requires a resource consent for a discretionary activity<sup>53</sup> where it occurs outside of a Significant Ecological Area. Where the activity occurs within a Significant Ecological Area (and this is deemed to include Significant Marine Mammal and Seabird Area), the activity is non-complying.<sup>54 55</sup>

---

<sup>43</sup> As identified in both the Northland Regional Policy Statement and Proposed Northland Regional Plan.

<sup>44</sup> As identified in the Proposed Northland Regional Plan.

<sup>45</sup> As identified in the Proposed Northland Regional Plan.

<sup>46</sup> <https://www.courtsofnz.govt.nz/the-courts/high-court/high-court-lists/applications-marine-coastal-list-2/>

<sup>47</sup> The rules below relate to the Marsden Point Port Zone, Proposed Northland Regional Plan.

<sup>48</sup> Rule C1.1.2 (which is the subject of an appeal).

<sup>49</sup> Rule C.1.1.16 (subject to appeal).

<sup>50</sup> Rule C.1.5.12 (subject to appeal).

<sup>51</sup> This rule is subject to appeal.

<sup>52</sup> Rule C.1.6.5.

<sup>53</sup> Rule C.1.6.3 (subject to appeal).

<sup>54</sup> Rule C.1.6.5. (subject to appeal).

<sup>55</sup> Under the Operative Northland Regional Coastal Plan, activities such as reclamations, structures and occupation within the coastal marine area are a discretionary activity. If works are required outside of the port zone areas, “any port development” activities comprise non-complying activities.

- 5.12 For land based changes, the Business 2 (light industrial), Business 4 (heavy industrial) and Marsden Point Port Zones are enabling of the types of activities associated with the port expansion, including buildings and outdoor storage. Controls manage building heights, noise, lighting and hazardous substances storage, which if cannot be achieved, will trigger the need for discretionary resource consents.
- 5.13 A full rule assessment is included in **Appendix D** attached.

## KEY CONSENTING ISSUES

### *Ecological Values*

- 5.14 The provisions of the Proposed Northland Regional Plan require the avoidance of all adverse effects on threatened or at-risk indigenous taxa, and on areas of significant indigenous vegetation and fauna.<sup>56</sup> Again, this approach generally aligns with Policy 11(a) of the NZCPS.
- 5.15 While the port (and port zoned area that is not currently developed for port use) is within the Significant Marine Mammal and Seabirds Ecological Area, the significance of the ecological values in this area were assessed as part of Refinery New Zealand's resource consent application for dredging within the Whangārei Harbour and surrounds in 2017. The outcome of this application demonstrated that potential effects on threatened or endangered marine mammals could be appropriately managed, and consent was granted. While a finer grained analysis of the specific values likely to be impacted by this proposal will need to be undertaken to confirm that effects on marine mammals can be effectively avoided or mitigated, the previous application would suggest that any such potential effects can be adequately managed / overcome.
- 5.16 Similarly, any works that impact upon the significant ecological area to the west of the site (i.e. the Marsden Bay-One Tree Point-Snake Bank complex) will require detailed evaluation to determine the nature and scale of any effects on indigenous flora and fauna.
- 5.17 If dredging that affects Mair Bank is required (i.e. beyond the entrance to the harbour), this activity could present significant consenting challenges, or barriers to consenting, due to the directive provisions of the Proposed Northland Regional Plan (which give effect to the requirements set out in Policies 11 and 13 of the NZCPS) relating to the management of ecological, cultural and high natural character values in this area.
- 5.18 The Proposed Northland Regional Plan requires that adverse effects on marine mammals listed as threatened or at risk are *avoided*.<sup>57</sup> Underwater noise generated during construction (primarily piling) can affect marine mammals and this can be difficult to

---

<sup>56</sup> Northland Regional Policy Statement, Policy 4.4.1 and Proposed Northland Regional Plan, Policy D2.16 (this policy is the subject of an appeal).

<sup>57</sup> Proposed Northland Regional Plan, Policy D.5.25. This policy is not subject to appeal.

ameliorate. If threatened or at-risk marine mammals are present within the underwater noise zone of influence, then this provision would present a challenge and would require specific advice from an acoustic engineer and marine mammal specialist to ensure that any effects can be properly managed (i.e. through the use of marine mammal observers during construction).

### ***Natural Values***

- 5.19 The provisions relating to coastal natural character in the relevant plans (including the NZCPS) are applicable to the site. One such provision requires the avoidance of significant adverse effects on natural character in the coastal environment.<sup>58</sup> Other provisions require that significant adverse effects on the characteristics, qualities and values that contribute to natural character are avoided.<sup>59</sup>
- 5.20 The natural character values of the environment around Northport are, in part, reduced by the presence and use of existing infrastructure. The decision in relation to the recent resource consent granted to Refinery New Zealand for dredging within Whangārei Harbour noted that any effects associated with that activity would be ‘low level’.
- 5.21 The current port site is not identified in any of the relevant plans as being part of any outstanding or high natural character and landscape value areas. On this basis, it is anticipated that managing effects of expansion works on natural character and landscape values will not present the same challenges that will likely exist at other sites (i.e. there are likely to be less locational constraints).

### ***Mana Whenua Values***

- 5.22 The Northland Regional Policy Statement is enabling of regionally significant infrastructure,<sup>60</sup> which includes Northport. The provisions require that adverse effects of regionally significant infrastructure are managed by ensuring that damage to and / or loss of the relationship of Mana Whenua with ancestral sites, sites of significance, wāhi tapu, customary activities and / or taonga is avoided or otherwise agreed to by the affected Mana Whenua.<sup>61</sup> Other provisions require that natural character, and places of significance to Mana Whenua in the coastal marine area are protected from inappropriate use and development.<sup>62</sup>
- 5.23 It is evident from the resource consent application by Refinery New Zealand that Mana Whenua groups have strong historical and cultural associations with Whangārei Harbour. Whilst these associations are addressed in more detail in the iwi workstream, the resource

---

<sup>58</sup> Northland Regional Policy Statement, Policy 4.6.1.

<sup>59</sup> Proposed Northland Regional Plan, Policy D.2.15. This policy is the subject of an appeal.

<sup>60</sup> Refer to definition above.

<sup>61</sup> Northland Regional Policy Statement, Policy 5.3.3.

<sup>62</sup> Proposed Northland Regional Plan, Policy F.1.11. This policy is subject to appeal.



consent decision in relation to Refinery New Zealand's dredging proposal noted that Mana Whenua groups believe that the cumulative effects of previous developments in Whangārei Harbour have undermined their relationship, kaitiakitanga, cultural values and traditional and cultural practices associated with Whangārei Te Rerenga Parāoa.

- 5.24 Given the above, addressing the strong cultural and historical associations held by Mana Whenua to Whangārei Harbour and the potential impacts of any expansion to the Northport infrastructure and activities will require a fulsome consultative process and the involvement in the design, development and monitoring of environmental and cultural effects and mitigation strategies.

### **NORTHPORT RMA APPROVAL STRATEGY**

- 5.25 Based on this high level evaluation of the environmental values associated with Northport, this site is currently considered to present a viable option for expansion under the RMA. Set out below is a high level approval strategy for the site.
- 5.26 Being an existing port, the relevant regional and district plans already recognise the importance of the port through bespoke zoning and rules which continue to provide for its ongoing operation and use. For works within the Port Zone, it is considered that seeking resource consents for the expansion works and associated activities fits comfortably within the planning framework, albeit subject to a detailed assessment of the potential effects on such activities on marine mammals and sea birds, and cultural values.
- 5.27 In order to better manage noise effects and the expectations of nearby noise sensitive activities, a plan change to the Whangārei District Plan should be considered to impose a noise management approach that better aligns with the New Zealand Port Noise Standard (NZS 6809: 1999). This plan change would place limitations on the amount of noise that could be reasonably generated by port activities, while, at the same time, would also impose land use restrictions on surrounding areas to better avoid the potential for reverse sensitivity effects to arise.
- 5.28 The site is already connected directly to the state highway network. To establish a direct rail connection within the existing designated rail corridor will require planning approval under the designation mechanism. As the corridor is already designated, this process is not expected to present significant challenges, and changes are likely to comprise of modifications to this existing designation, rather than new proposals.
- 5.29 The following approach is suggested as the optimal way of pursuing necessary approvals under the RMA.

### **Initial Evaluations**

- 5.30 Firstly, finer grain evaluations of the indigenous biodiversity values and the natural character and natural landscape values of the site and surrounds will likely be necessary

to inform any consenting process. These evaluations will serve to ground truth the extent of such values identified in the relevant regional plan and assist to demonstrate how expansion works can be managed, such that the various policy imperatives that manage these values can be met.

- 5.31 Equally, early and extension collaboration with Mana Whenua in relation to the identification of cultural values that may adversely affected by the works, will be necessary. This will assist in determining if the project can align with the outcomes sought in the planning documents in relation to cultural values and the relationship of Mana Whenua with ancestral sites, sites of significance, wāhi tapu, customary activities and / or taonga.<sup>63</sup>
- 5.32 Possible alternative methods for authorising the expansion of Northport are discussed in Section 15 of this report, if the need arises due to previously unidentified potential effects on indigenous biodiversity or natural character values.

### **Resource Consents and Plan Change**

- 5.33 If the evaluations undertaken above demonstrate that the key policy provisions can be achieved, then the preparation of the resource consent applications and a plan change to rezone land (if required), and to address the noise provisions, will need to be advanced. This will likely include:
- Preparation of resource consent applications and assessment of environmental effects. This will likely require technical assessment of the following:
    - Effects of the structures and construction activities on Mana Whenua values;
    - Effects of the structures and construction activities on coastal processes;
    - Effects of the structures and construction activities on benthic and marine ecology;
    - Effects of the structures and construction activities on marine mammals and sea birds and their habitat;
    - Effects of the structures and construction activities on natural character, landscape values and amenity values;
    - Underwater noise effects on marine mammals;
    - Airborne noise effects on nearby sensitive land uses; and
    - Quantification of benefits of the port expansion.
  - Preparation of a plan change to the Whangārei District Plan to rezone land (if required) and set in place a noise management approach that better aligns with the New

---

<sup>63</sup> Northland Regional Policy Statement, Policy 5.3.3.

Zealand Port Noise Standard (NZS 6809: 1999). A comprehensive assessment of the acoustic effects expected to be generated by the expanded port when operational will be required to inform this part of the plan change.

## **6. PORT OF TAURANGA**

- 6.1 The Port of Tauranga is an established port located within Tauranga Harbour (Te Awanui). The port comprises the Mount Maunganui wharf located on the western side of the Mount Maunganui Spit, and the Sulphur Point wharf located on reclaimed land near the Tauranga central business district.
- 6.2 The port is connected to both the road and rail networks, with State Highway 2 adjoining both wharves at their southern reaches. A railway siding enters the southern most part of the Sulphur Point wharf, and the main rail network continues through to the Mount Maunganui wharf.
- 6.3 The Tauranga Marina and Marine Park are located to the west of the Sulphur Point wharf. A small area of commercial and industrial activity is located to the south of the port.
- 6.4 Expansion of the Port of Tauranga to increase its freight capacity may include one, or all, of the following:
- Expansion to the existing port activities on Sulphur Point (outside of the coastal marine area), west and southwards, towards Tauranga Marina and Marine Park and State Highway 2;
  - A southern extension to the existing wharf near East Road to provide additional berthing capacity; and
  - The potential construction of a new wharf at the northern end of Sulphur Point.<sup>64</sup>
- 6.5 Figure 7 below provides an indicative overview of the type of expansion work that could occur at the Port of Tauranga.

---

<sup>64</sup> It is unknown whether the Working Group or the Port of Tauranga is interested in this potential expansion option. However, the Outline Development Plan contained in the Bay of Plenty Regional Coastal Plan shows a future wharf along the existing northern end of Sulphur Point. This option has therefore been considered as part of this evaluation.



Figure 7: Possible expansion works at the Port of Tauranga.

## REGIONAL AND DISTRICT PLANNING PROVISIONS

6.6 The Port of Tauranga is located within the jurisdiction of the Tauranga City Council and the Bay of Plenty Regional Council. The key relevant regional and district plans prepared under the RMA, and of relevance to this site include:

- The Bay of Plenty Regional Policy Statement;
- The Bay of Plenty Regional Coastal Environment Plan; and
- The Tauranga City Plan.

- 6.7 The Bay of Plenty Regional Coastal Environment Plan was prepared subsequent to the NZCPS being gazetted and is considered to give effect to the directive provisions of the NZCPS.

### **Zoning**

- 6.8 An overview of the key land zones that apply to this site is provided in Figures 8 and 9 below. A fuller analysis of the relevant planning maps relating to this site, including all areas of ecological, cultural and landscape significance, is attached in **Appendix E**.
- 6.9 The significance of the Port of Tauranga to the regional and national economy is well recognised in the respective regional and district planning documents.<sup>65</sup> This manifests as Port Zones in the Bay of Plenty Regional Coastal Environment Plan and the Tauranga City Plan, which generally allow for a range of port type activities, within defined limits and locations.
- 6.10 Further to the above, the site is located within the Port Industry Zone (Figure 8) in the Tauranga City Plan and the Tauranga Harbour Port Zone (Figure 9) in the Bay of Plenty Regional Coastal Environment Plan. The respective planning maps are shown below. Proposed port expansion activities to the south and south west would likely occur in the Active Open Space, Commercial and Industrial Zones.

---

<sup>65</sup> Bay of Plenty Regional Policy Statement, Policy CE14B and Bay of Plenty Regional Coastal Environment Plan, Objectives 28, 29, 52 and 53 and Policies PZ2, PZ3, PZ 9 and PZ 12.



Figure 8: Zoning of the Port of Tauranga and surrounds under the Tauranga City Plan.



Figure 9: Zoning of the Port of Tauranga and surrounds under the Bay of Plenty Regional Coastal Environment Plan.

### Key Environmental Values

- 6.11 The key environmental values at, and in the vicinity of, the Port of Tauranga are summarised below. A fuller analysis, including the mapped extent of the various applicable values is set out in **Appendix E** attached.

### Ecological Values

- There are no identified areas of significant ecological value at or surrounding Sulphur Point; and
- Centre Bank (Te Paritaha), the large sand bank in the centre of Tauranga Harbour, is known to contain extensive beds of pipi and seagrass.<sup>66</sup>

<sup>66</sup> [2011] NZEnvC 402 *Te Runanga o Ngai Te Rangi Iwi & Ors v Bay of Plenty Regional Council*, at [151].



### **Natural Character and Landscape Values**

- Sulphur Point is not located within any identified outstanding or high natural features or landscapes, or areas of outstanding or high natural character. Notwithstanding this, the site forms part of the wider coastal natural character environment; and
- The wider Tauranga Harbour (Te Awanui), including the edges of the existing shipping channels, is identified as an Outstanding Natural Feature and Landscape<sup>67</sup> and an area of Outstanding Natural Character.<sup>68</sup>

### **Mana Whenua Values**

- Sulphur Point is not located within an identified area of significance to Mana Whenua in the statutory planning documents;
- The wider Tauranga Harbour (Te Awanui), including the edges of the existing shipping channel, is identified as an Area of Significant Cultural Value.<sup>69</sup> Centre Bank (Te Paritaha), in particular, is of significant cultural value;
- The wider Tauranga Harbour (Te Awanui) forms part of the Te Maunga o Mauao Mataitai Reserve and contains a designated kaimoana customary fishing area established under the Fisheries (Kaimoana Customary Fisheries) Regulations 1998; and
- The site is subject to applications for customary marine title and / or protected customary rights from various Mana Whenua groups.<sup>70</sup>

### **Other Values**

- Marine Park is a reserve under the Reserves Act 1977. The purpose of this reserve is to provide for recreation purposes;<sup>71</sup>
- Sulphur Point is located within the Specified Airport Slope Surfaces for Tauranga Airport.<sup>72</sup> These surfaces must be kept free from objects or structures to ensure that an appropriate level of safety is maintained for aircraft operating at low altitude in the vicinity of the airport, including during take-off and departure;
- The site is also located within a Viewshaft Protection Area, which is to maintain viewshafts to and from Mauao (Mount Maunganui).<sup>73</sup> These viewshafts apply height limits to buildings and structures, in addition to the zone height limits. This has the

---

<sup>67</sup> As identified in the Bay of Plenty Regional Coastal Environment Plan, Map 11a.

<sup>68</sup> As identified the Bay of Plenty Regional Policy Statement, Appendix J.

<sup>69</sup> As identified in the Bay of Plenty Regional Coastal Environment Plan, Map 11b.

<sup>70</sup> <https://www.courtsofnz.govt.nz/the-courts/high-court/high-court-lists/applications-marine-coastal-list-2/>

<sup>71</sup> Section 17(1), Reserves Act 1977

<sup>72</sup> Tauranga City Plan, Diagram 2.

<sup>73</sup> Tauranga City Plan, Viewshaft Protection Areas, Maps 5, 8, 9, 14 and 15.

greatest bearing on the Active Open Space Zone, where the height limits are constrained to between 6m<sup>74</sup> and 11m<sup>75</sup>; and

- The Port of Tauranga is subject to an Outline Development Plan (attached in **Appendix E**) which identifies areas where specific port expansion activities are anticipated (subject to consenting) within the coastal marine area surrounding Sulphur Point.

### **Likely Resource Consents Required**

- 6.12 Expanding the port facilities in and around Sulphur Point will trigger a range of resource consent requirements. It is likely that resource consents will be required for the following activities within the coastal marine area:<sup>76</sup>
- Reclamations, structures and dredging activities identified in the Outline Development Plan, and structures located in areas where the Port of Tauranga holds an occupation permit, will require resource consent for a restricted discretionary activity;<sup>77</sup>
  - Reclamations, structures and dredging activities outside of the areas identified in the Outline Development Plan will require resource consent for a discretionary activity;<sup>78</sup>
  - Reclamations and structures in accordance with the Outline Development Plan at the northern end of Sulphur Point will require resource consent for a discretionary activity;<sup>79</sup> and
  - Dredging at the northern end of Sulphur Point, where identified in the Outline Development Plan, will require resource consent for a restricted discretionary activity.<sup>80</sup>
- 6.13 For land based expansion activities, it is noted that neither the Open Space, Industrial or Commercial Zones anticipate port type activities. Undertaking port activities in these zones requires resource consent for a discretionary activity,<sup>81</sup> with the exception of the small industrial area near Cross Road, where resource consent is required for a non-complying activity.<sup>82</sup>

---

<sup>74</sup> Tauranga City Plan, Rule 13A.8.1(a).

<sup>75</sup> Tauranga City Plan, Rule 4H.2.3(b).

<sup>76</sup> The rules below relate to the Tauranga Harbour Zone, Bay of Plenty Regional Coastal Environment Plan.

<sup>77</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ8 (Other Buildings and Structures), Rule PZ10 (Specified Dredging Activities), and Rule PZ12 (Specified Reclamations). Note for reclamations and structures, the activity must also be located within an area where the Port of Tauranga holds an occupation permit.

<sup>78</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ13.

<sup>79</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ13.

<sup>80</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ10.

<sup>81</sup> Tauranga City Plan, Rules 13A.12(c), 17A.15.1(b) and 18A.16(e).

<sup>82</sup> Tauranga City Plan, Rule 18A.17(c).

- 6.14 Resource consents would also likely be required to exceed the Port Noise Boundary Controls within both the relevant regional and district planning documents, with additional consents potentially required if buildings and structures exceed the permitted height limits relating to the airport related surfaces and encroachment of the Viewshaft Protection Areas.

## **KEY CONSENTING ISSUES**

### **Ecological Values**

- 6.15 The areas proposed for expansion of port activities are not located in any identified significant ecological areas. Notwithstanding this, a finer grained analysis of the specific biodiversity values likely to be impacted by this proposal will need to be undertaken to verify that the proposal is consistent with the effects management approach identified in key provisions of the Bay of Plenty Regional Coastal Environment Plan<sup>83</sup> which give effect to Policy 11 of the NZCPS.

### **Natural Values**

- 6.16 The proposed expansion activities are not identified as being within any outstanding or high natural character or landscape value areas. However, the provisions relating to 'coastal natural character' are relevant to the site. One such provision requires the avoidance of significant adverse effects on natural character values in the coastal environment.<sup>84</sup> Other provisions require that significant adverse effects on sensitive landforms, estuaries and their margins, terrestrial and marine ecosystems, natural patterns of indigenous and exotic vegetation and processes that contribute to the landscape and seascape value, are avoided.<sup>85</sup> Views towards Mauao (Mount Maunganui) are also required to be protected from obstructions by buildings and structures.<sup>86</sup>
- 6.17 The existing natural character values at Sulphur Point are substantially reduced by the presence and use of existing infrastructure. On this basis, it is anticipated that managing effects of expansion works on natural character and landscape values will not present the same challenges that may exist at other sites. However, limitations on built height and structures may be required to manage effects on the views towards Mauao (Mount Maunganui) (refer to paragraph 6.10).

---

<sup>83</sup> Bay of Plenty Regional Coastal Environment Plan, Policies NH5, NH8 and NH9.

<sup>84</sup> Bay of Plenty Regional Coastal Environment Plan, Policy CE2B.

<sup>85</sup> Bay of Plenty Regional Coastal Environment Plan, Policy CE8B(f).

<sup>86</sup> Tauranga City Plan, Objective 6A.1.11.

### **Mana Whenua Values**

- 6.18 Despite not being located within the Area of Significant Cultural Value, Mana Whenua have a recognised relationship with Tauranga Harbour (Te Awanui) – which is reflected in the various applications by Mana Whenua groups for customary marine title and / or protected customary rights.
- 6.19 Relevant provisions in the statutory planning documents seek to recognise and provide for Maori cultural values and traditions, by avoiding significant adverse effects and avoiding, remedying, mitigating or offsetting other effects on habitats of indigenous species that are important for traditional or cultural purposes (such as kaimoana gathering). The same applies to cultural and spiritual values associated with natural features and natural landscapes.<sup>87</sup>
- 6.20 The previous resource consent application by the Port of Tauranga (2009 – 2011) for the dredging of Tauranga Harbour (Te Awanui), whilst successful, was contentious with Mana Whenua and required a hearing before the Environment Court. It is expected that further development in the coastal marine area of Tauranga Harbour would, depending on scale, also raise concerns for Mana Whenua groups.
- 6.21 In light of the above, any consent process would require fulsome consultation and the evaluation of options with Mana Whenua groups, including the consideration of cumulative effects of activities that have already degraded the mauri of this area. Furthermore, it is noteworthy that the relevant provisions in the statutory planning documents expressly require Mana Whenua engagement for certain works within the Port Zone, particularly to the north of Sulphur Point.<sup>88</sup>

### **Reserves**

- 6.22 Marine Park is a Recreation Reserve under the Reserves Act 1977. Revoking the reserves status of the land will be required to use the land for port purposes. This is a public process that requires the approval of the Tauranga City Council and the Conservation Minister.

### **Airport Surfaces**

- 6.23 The Specified Airport Slope Surfaces are a requirement of the Civil Aviation Authority. These slopes must be kept free from objects or structures to ensure aircraft safety is maintained when operating at low altitudes in the vicinity of an airport.
- 6.24 Due to the proximity of Tauranga Airport, these surfaces impose height constraints on activities and structures on Sulphur Point, particularly at the southern end where it is

---

<sup>87</sup> Bay of Plenty Regional Coastal Environment Plan, Policy NH14(a).

<sup>88</sup> Bay of Plenty Regional Coastal Environment Plan, Policy PZ11.

located beneath the take-off and departure flight path. As these surfaces are fixed, there are generally few options available for securing additional height allowance above these surfaces. This has an overall limiting function on the extent to which future port activities can expand or be undertaken vertically, particularly at its southern extent.

- 6.25 Relocating the airport runway eastwards to potentially gain additional height capacity at Sulphur Point has not been considered as part of this evaluation. Notwithstanding this, it is expected that such a project would also have significant consenting challenges itself - particularly given that it would reduce the buffer between the end of the runway and adjacent residential and commercial areas.

### **PORT OF TAURANGA RMA APPROVAL STRATEGY**

- 6.26 Based on this high level evaluation of the environmental values associated with the Port of Tauranga, this site is considered to present a potentially viable option for expansion activities on Sulphur Point (outside of the CMA) to the west and south. The site also presents potentially viable options for the extension of existing wharf facilities, in accordance with the Outline Development Plan.
- 6.27 Being an existing port, the relevant regional and district plans already recognise the importance of the Port of Tauranga through bespoke zoning and rules which continue to provide for its ongoing operation and use. For works within the Port Zones, seeking resource consents for the proposed expansion works and associated activities will fit comfortably within the planning framework, albeit subject to a detailed assessment of the potential effects on cultural values, landscape and natural character values, indigenous biodiversity and viewshafts.
- 6.28 If the port is to expand westwards onto Marine Park,<sup>89</sup> and southwards over the existing industrial and commercial areas, a plan change is likely to be the best planning option. This would rezone the land required to Port Industry Zone in the Tauranga City Plan. This would simplify the Plan regime insofar as it relates to port related land use activities. A similar plan change is not required for the Bay of Plenty Regional Coastal Environment Plan as this area is already zoned Port Zone.
- 6.29 In addition, in order to manage noise effects and the expectations of nearby noise sensitive activities, a plan change to the Tauranga City Plan should be considered to expand the existing noise boundaries to account for the larger footprint and associated increase in noise likely to be generated on-site. This plan change would limit the amount of noise that could be generated by port activities, and at the same time, would expand the requirements to impose land use restrictions on surrounding areas to manage the potential for reverse sensitivity effects to arise. The noise management approach for the

---

<sup>89</sup> Noting that the site is subject to the Reserves Act 1977, which may create additional considerations outside of the scope of this report.

port and surrounding noise sensitive activities should generally align with the NZS 6809: 1999.

- 6.30 The following approach is suggested as the optimal way of pursuing necessary approvals under the RMA.

#### **Initial Evaluations**

- 6.31 Firstly, finer grain evaluation of the indigenous biodiversity values and the natural character and natural landscape values of the site and surrounds will likely be necessary to inform any consenting process. These evaluations will serve to ground truth the extent of such values identified in the relevant regional and district plans and assist to demonstrate how expansion works can be managed, such that the various policy imperatives that manage these values can be met.
- 6.32 Equally, and as discussed above, early and fulsome collaboration with Mana Whenua in relation to the identification of cultural values that may be adversely affected by the works and the consideration of alternative development options will be critical. This will assist in determining if the provisions that relate to cultural values and the avoidance of significant adverse effects of traditional, cultural and spiritual values can be achieved through the design of the port infrastructure and alternative mitigation strategies.<sup>90</sup>
- 6.33 Ground surveys will help assist in the identification of maximum height limits for buildings and structures beneath the Specified Airport Slope Surfaces. This will help inform the extent to which activities and structures, particularly at the southern end of Sulphur Point, can expand and intensify vertically.
- 6.34 Steps will also need to be taken to remove the reserve status of Marine Park under the Reserves Act 1977. This will need to occur in liaison with Tauranga City Council and the Department of Conservation in the first instance.

#### **Resource Consents and Plan Change**

- 6.35 If the evaluations undertaken above demonstrate that the key policy provisions can be achieved, the Specified Airport Slope Surfaces avoided and Reserves Act matters can be resolved, then the preparation of the resource consent applications and a plan change to expand the existing port facilities could be advanced. This will likely include:
- Preparation of resource consent applications and assessment of environmental effects. This will likely require technical assessment of the following:
    - Effects of the structures and construction activities on Mana Whenua values;
    - Effects of the structures and construction activities on coastal processes;

---

<sup>90</sup> Bay of Plenty Regional Coastal Environment Plan, Policy NH 14(a).

- Effects of the structures and construction activities on benthic and marine ecology;
  - Effects of reclamation and associated structures and construction activities on natural character and landscape values, including viewshafts to Mauao;
  - Construction and operational noise effects;
  - Visual appearance, lighting and glare effects, including with reference to effects on airport operations (lighting and glare);
  - Construction effects, including measures to avoid adverse effects on airport operations; and
  - Quantifications of any benefits of the port expansion.
- Preparation of a plan change to the Tauranga City Plan to rezone all of the land on Sulphur Point, north of State Highway 2, to Port Industry Zone and update the associated Port Noise Boundaries. The nature of the assessments required to inform such a plan change would be similar to those set out above with respect to a resource consent. To undertake this evaluation, additional technical assessment with respect to recreational effects arising from any loss of public open space would be required, along with potential effects on the loss of industrial/commercial zoning on-site.

## 7. FIRTH OF THAMES: KAWAKAWA BAY

7.1 The Kawakawa Bay site is located within the Firth of Thames in the Hauraki Gulf, between Raukura Point and Puatiti Point (see Figure 10 below).

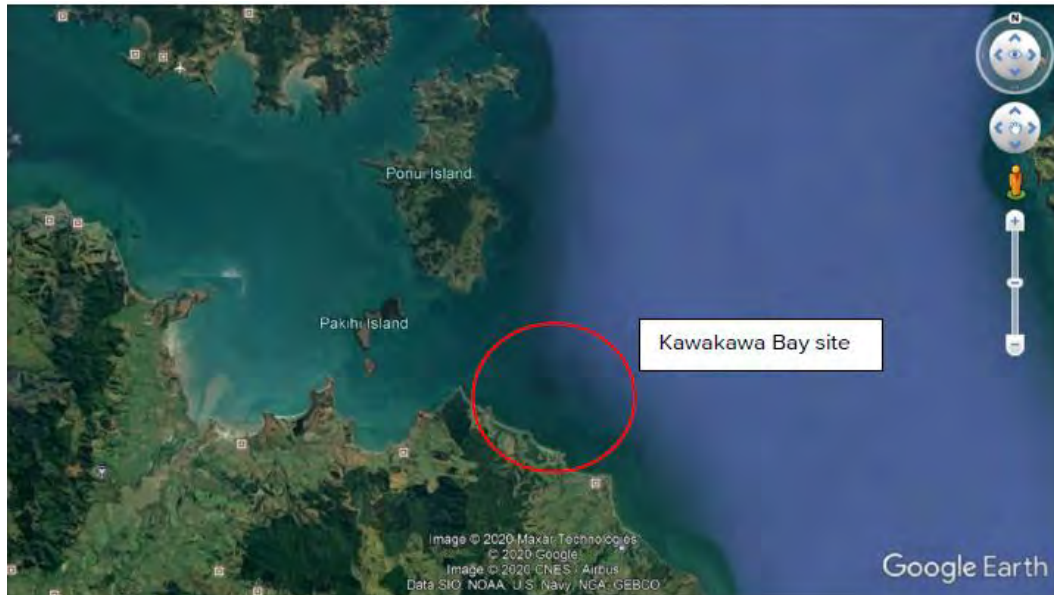


Figure 10: Kawakawa Bay location.

7.2 Development at this site would likely comprise:

- The establishment of a new reclaimed island southeast of Ponui Island, approximately 6km from Kawakawa Bay. The proposed island port would occupy a footprint of approximately 250 hectares;
- Construction of two approximately 6km long new bridges to provide access to and from the port;
- Construction of substantial protective infrastructure would be necessary in the form of two breakwaters up to 1km in length;
- Limited dredging activities would be required; and
- The development of new or an extension of existing transportation links between the bridges and the existing transportation networks.

7.3 An overview of the type of reclamation that could be required at Kawakawa Bay is provided in Figure 11 below.



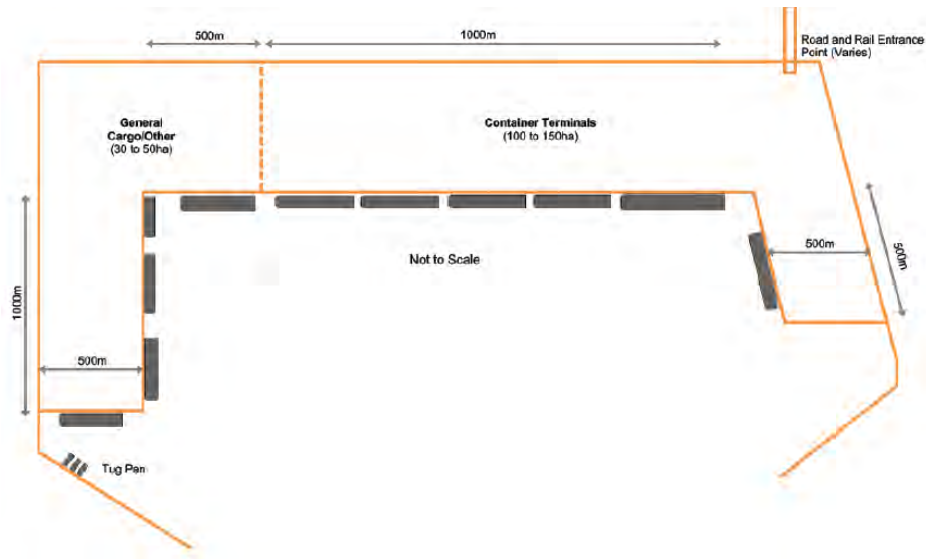


Figure 11: Reclamation concept diagram for Kawakawa Bay.

- 7.4 It is not known where the bridges would come ashore, nor the specific route of the road / rail connections to connect the port to the existing transport network.

## REGIONAL AND DISTRICT PLANNING PROVISIONS

- 7.5 The Kawakawa Bay site is located within the jurisdiction of Auckland Council. As a unitary authority, Auckland Council undertakes the functions of both a regional and district council. All of the relevant regional and district planning requirements under the RMA, including the Regional Policy Statement for Auckland, are contained within a single document – the AUP.
- 7.6 The AUP was prepared subsequent to the NZCPS being gazetted and is considered to give effect to the directive provisions of the NZCPS.

## Zoning

- 7.7 An overview of the key zones that apply to this site is provided in Figure 12. A fuller analysis of the relevant planning maps relating to this site, including all areas of ecological, cultural and landscape significance, is attached in **Appendix F**.
- 7.8 Situated off the coast from Kawakawa Bay, the site for the island port is located within and surrounded by the General Coastal Marine Zone. Adjoining land-based zoning includes areas of General - Rural Coastal Zone, and smaller areas zoned Open Space - Informal Recreation.



**Figure 12: Zoning of the Kawakawa Bay site and surrounds under the AUP.**

- 7.9 The site is also within the Hauraki Gulf Marine Park, established by the Hauraki Gulf Marine Park Act 2000. This Act recognises that the interrelationship between the Hauraki Gulf, its islands, and catchments, and the ability of that interrelationship to sustain the life-supporting capacity of the environment, are matters of national significance.<sup>91</sup> The provisions of the AUP give effect to the Hauraki Gulf Marine Park Act 2000.
- 7.10 A non-statutory spatial plan entitled Sea Change: Hauraki Gulf Marine Spatial Plan (April 2017) has been developed for the Hauraki Gulf to assist with achieving the objectives of the Hauraki Gulf Marine Park Act 2000.

### **Key Environmental Values**

- 7.11 The key environmental values at and in the vicinity of the Kawakawa Bay site are set out below. A fuller analysis, including the mapped extent of the various applicable values is set out in **Appendix F**.

### **Ecological Values<sup>92</sup>**

- Four Significant Terrestrial Ecology Areas and three Significant Marine Ecology Areas are located along the coastline of the Kawakawa Bay site. These ecological areas occupy all of the coastline of the Kawakawa Bay site, but do not extend west as far as the likely location of the reclaimed island port;
- The section of coast from Raukura Point to Orere Point is valued for its rocky shore and sandy beach flora and fauna, which is considered to be some of the richest in the region;

<sup>91</sup> Section 7 of the Hauraki Gulf Marine Park Act 2000.

<sup>92</sup> As identified in the Auckland Unitary Plan.

- Papanui Point is located central to the site and is known to be habitat for threatened plant species. Coastal bird species, including shags, terns and gulls roost in the coastal trees and adjoining rocks. Little blue penguins also nest here;
- The coastal hillslopes adjacent to Tawhitokino Beach contain coastal mapou forest with emergent kanuka, tanekaha and pohutukawa, on coastal sediments in the ecological district;
- The Firth of Thames<sup>93</sup> is considered important for juvenile snapper and spotted dogfish, and is a nationally important nursery area for smooth hammerhead shark; and
- In the Hauraki Gulf Spatial Plan,<sup>94</sup> a marine protected area is located over the Firth of Thames. The area is a *Marine Protected Area Type 2 - Benthic Protection* which aims to ‘maintain, restore and protect ecologically important habitat while allowing for compatible uses’.

#### **Natural Character and Landscape Values<sup>95</sup>**

7.12 The coastline of the Kawakawa Bay site is identified as:

- An Outstanding Natural Landscape, comprising the ‘Hunua Ranges’ located along the entire coastline of the site;
- An Outstanding Natural Feature, ‘Kawakawa Bay’, comprising deformed chert beds which are located just south of Raukura Point and stretches for approximately 350m. Ancillary port development may be able to avoid encroaching on this landscape feature;
- A High Natural Character Area, ‘Te Kaiahorawaru Point’, is located along the entire coastline of the site;
- The Orere Point Surf Break<sup>96</sup> is located approximately 2km south of the Kawakawa Bay site; and
- Away from the coastline, the seaward area of the site is not located in any identified outstanding landscape or high natural character areas, this area forms part of the wider coastal natural character area. This area is highly natural in character and is within the Hauraki Gulf Marine Park, which is recognised as having national significance.

---

<sup>93</sup> The Sea Change Hauraki Gulf Marine Spatial Plan report, dated April 2017, is a non-statutory document that has been prepared to develop a spatial plan for the Hauraki Gulf Marine Park with the objective of improving the health, mauri and abundance of the Hauraki Gulf Marine Park.

<sup>94</sup> The Hauraki Gulf Spatial Plan is contained in the document entitled *Sea Change: Spatial Plan of the Hauraki Gulf*, dated April 2017.

<sup>95</sup> As identified in the Auckland Unitary Plan.

<sup>96</sup> This surf break is not a Nationally Significant Surf Break and is not listed in Schedule 1 of the NZCPS.

### **Mana Whenua Values<sup>97</sup>**

- The site is within the Treaty Settlement Statutory Acknowledgement Area relating to Ngai Tai ki Tamaki;
- The site does not encroach any Sites and Places of Significance to Mana Whenua identified in the AUP; and
- The Hauraki Gulf Spatial Plan states that Mana Whenua have associations with the Firth of Thames, which is reflected in the applications for customary marine title and / or protected customary rights from various Mana Whenua groups in the area.<sup>98</sup>

### **Likely Resource Consents Required**

7.13 Establishing a port facility at Kawakawa Bay will require a range of resource consents. Based on the information available to date, it is likely that resource consents will be required for the following key activities:

- Reclamation for port infrastructure requires a resource consent for a discretionary activity. Where it occurs within a Significant Ecological Area Marine 1 or 2, or in an outstanding natural feature area, the activity is non-complying;<sup>99</sup>
- Port facilities and buildings (on a reclaimed island) require resource consent for a discretionary activity. Where these activities occur within an outstanding natural landscape and / or features or Significant Ecological Area Marine 1, the activity status is non-complying;<sup>100</sup>
- Port accessory structures (such as the bridges) require resource consent for a discretionary activity. As with the above, where these are within an outstanding natural landscape and / or features or Significant Ecological Area Marine 1, the activity status is non-complying;<sup>101</sup>
- If needed, capital dredging will require a resource consent for a discretionary activity; if capital dredging is within the Significant Ecological Area Marine 1 and / or the outstanding natural feature, the activity is non-complying;<sup>102</sup>
- Maintenance dredging requires a resource consent for a restricted discretionary activity;<sup>103</sup>

---

<sup>97</sup> As identified in the Auckland Unitary Plan and the Hauraki Gulf Spatial Plan.

<sup>98</sup> <https://www.courtsofnz.govt.nz/the-courts/high-court/high-court-lists/applications-marine-coastal-list-2/>

<sup>99</sup> Auckland Unitary Plan, Rule F2.19.2 (A10).

<sup>100</sup> Auckland Unitary Plan, Rule F2.19.10(A139).

<sup>101</sup> Auckland Unitary Plan, Rule F2.19.10(A140).

<sup>102</sup> Auckland Unitary Plan, Rule F2.19.3 (A23).

<sup>103</sup> Auckland Unitary Plan, Rule F2.19.3 (A23).

- Disturbance of the coastal marine area requires a resource consent for a discretionary activity. Where it occurs within a Significant Ecological Area Marine 1, outstanding natural feature or outstanding natural landscape, the activity is non-complying;<sup>104</sup> and
- Occupation of the coastal marine area requires a resource consent for a discretionary activity.<sup>105</sup>

7.14 Where the bridges connect the reclaimed island port to land, a designation could provide for the bridge / road where it is outside of the coastal marine area.

7.15 A full rule assessment is included in **Appendix F**.

## **KEY CONSENTING ISSUES**

### ***Ecological Values***

7.16 The provisions of the AUP require protection of areas of significant ecological value from adverse effects and the enhancement of indigenous biodiversity.<sup>106</sup> This includes by avoiding all adverse effects on threatened, at risk or rare indigenous species, ecosystems and habitats, as well as areas of regular or sustained migratory bird roosting, nesting and feeding areas.<sup>107</sup> This approach generally aligns with Policy 11(a) of the NZCPS.

7.17 In accordance with Policy 11(b) of the NZCPS, the AUP also requires that significant adverse effects be avoided on other areas of indigenous biodiversity with lesser ecological significance. All other effects must be avoided, remedied or mitigated.<sup>108</sup>

7.18 Additionally, development which results in the permanent occupation or use of the foreshore and seabed to the extent that it would reduce the values, function or processes associated with a significant marine ecological area, or would change the physical processes that would destroy, modify or damage any natural features or values of such areas, in a more than minor way, are also required to be avoided under the policies of the AUP.<sup>109</sup>

7.19 The AUP also contains specific provisions for the Hauraki Gulf. Relevant provisions require ecological values and biodiversity that are unique to the Hauraki Gulf to be protected and assist in avoiding incremental and ongoing degradation of the Gulf's natural and physical resources. The use of the Hauraki Gulf's natural and physical resources is provided for where activities:

---

<sup>104</sup> Auckland Unitary Plan, Rule F2.19.3 (A25).

<sup>105</sup> Auckland Unitary Plan, Rule F2.19.8 (A84).

<sup>106</sup> Auckland Unitary Plan, Objectives D9.2 (1) and (2).

<sup>107</sup> Auckland Unitary Plan, Policy D9.3(9) and Objectives D9.2 (1) and (2).

<sup>108</sup> Auckland Unitary Plan, Policy D9.3 (10).

<sup>109</sup> Auckland Unitary Plan, Policy D9.3 (11).

- Promote the national significance of the Marine Park;
- Complement the unique values of the Gulf; and
- Do not result in future degradation of the Hauraki Gulf's environmental quality, or adversely affect the life-supporting capacity of marine ecosystems.<sup>110</sup>

7.20 The coastline of the Kawakawa Bay site holds significant value for both its terrestrial and marine ecology, and it seems that there are very few possible locations for the proposed bridges that aren't within these Significant Ecological Areas. While a finer grained assessment of the specific values ascribed to the site may serve to refine the extent and type of values here, if development cannot avoid effects to the extent outlined above, the proposal will be confronted with significant challenges for any RMA approval process under the AUP.

### ***Natural Values***

7.21 The AUP seeks to protect Auckland's outstanding natural features and landscapes from inappropriate use and development by avoiding the adverse effects on the natural characteristics and qualities that contribute to the values of the identified landscape, and maintaining high levels of naturalness in outstanding natural landscapes that are also identified as high natural character areas.<sup>111</sup>

7.22 Parts of the coastline of the Kawakawa Bay site are identified as having both outstanding natural landscape values and high natural character values.<sup>112</sup> This policy<sup>113</sup> requires any development within both of these identified areas to maintain a high level of naturalness, an outcome that is not considered to be achievable for the development of bridges that would likely traverse these identified areas.

7.23 In relation to the likely effects associated with a new reclaimed island port in this location, the AUP provisions<sup>114</sup> require the management of effects to avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects, on the characteristics and qualities that contribute to natural character values. The policy also takes into account external factors, which relevantly include the extent of existing human influence and change and the presence of existing buildings, structures and infrastructure.

7.24 In this location, the natural character is open seascape with an absence of buildings, structures or infrastructure. Even with the more enabling provisions that acknowledge the

---

<sup>110</sup> Auckland Regional Policy Statement, Objectives B8.5.2 and B8.5.1(3).

<sup>111</sup> Auckland Regional Policy Statement, Objectives B8.2.1, and Auckland Unitary Plan, Objective D10.2(1) and Policy D10.3(1).

<sup>112</sup> It is anticipated that development could avoid the identified Outstanding Natural Feature.

<sup>113</sup> Auckland Regional Policy Statement, Objectives B8.2.1, and Auckland Unitary Plan, Objective D10.2(1) and Policy D10.3(1).

<sup>114</sup> Auckland Unitary Plan, Policy E18.3(3).

locational constraints of infrastructure, demonstrating that the port development would avoid significant effects on this natural seascape poses a considerable, and potentially insurmountable, consenting challenge.

- 7.25 Similarly, careful evaluation of the effects of the reclamation and breakwaters will be required to determine if the surf break will be affected, as provisions in the AUP require any disposal of material or disturbance activities that will affect an identified surf break to be avoided.<sup>115</sup>
- 7.26 In addition, the requirements of the Hauraki Gulf Marine Park Act 2000 requires consideration, as the AUP directs that the management of the Hauraki Gulf gives effect to sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000.<sup>116</sup> Section 7 of this Act recognises the Gulf's national significance and its life supporting capacity that provides for the relationship with Mana Whenua and social, economic, recreational and cultural wellbeing of people and communities. **Appendix F** contains sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000 in full.<sup>117</sup>

#### ***Mana Whenua Values***

- 7.27 The provisions that apply specifically to the Hauraki Gulf encourage partnerships with Mana Whenua to protect and enhance environmental resources and values of the Hauraki Gulf that are important to their cultural relationship with the Gulf.<sup>118</sup> The connections held by Mana Whenua with the Hauraki Gulf will require fulsome evaluation for any new port development.
- 7.28 Furthermore, and as with other sites, the reclamation of land around Kawakawa Bay will require the resolution of issues relating to the historical associations of Mana Whenua groups with the area and their current applications for customary marine title and / or protected customary rights.

#### ***Other Values***

- 7.29 The Hauraki Gulf is an important recreational area for the Auckland and Waikato Regions. It contains marine reserves and is popular for recreational fishing. The policies in the AUP recognise these values, and seek to manage potentially conflicting uses so as not to compromise the particular values or qualities of these areas that add to their recreational

---

<sup>115</sup> Auckland Unitary Plan, Policy F2.3.3(4) and Policy F2.5.3(6).

<sup>116</sup> Auckland Regional Policy Statement, Objective B8.5.1(1).

<sup>117</sup> While the provisions of the Hauraki Gulf Marine Park Act 2000 are relevant to this site, the provisions of the NZCPS are more directive than the provisions of the Hauraki Gulf Marine Park Act 2000, and as such the NZCPS provisions have been considered in more detail in this report.

<sup>118</sup> Auckland Regional Policy Statement, Policy B8.5.2(11)-(13).

values.<sup>119</sup> Consideration of effects on these recreational and associated amenity values will also be important for any port development at this location.

### ***Infrastructure Provisions***

- 7.30 The AUP contains some enabling provisions for infrastructure activities, which by definition include ports.<sup>120</sup> In line with Policy 9 of the NZCPS, the provisions are primarily focused on enabling the continued use and development of existing ports. This policy recognition does not assist greatly with overcoming the more directive policies that require the avoidance of significant effects on ecological values or natural character and natural landscape values.
- 7.31 Road and / or rail connections to the Kawakawa Bay site from existing rail lines and / or the state highway network will be required. The location of the road and rail connections to the existing road / rail network are not currently known. There are limited road networks that follow the coastline at the Kawakawa Bay site location. Upgrades to the existing roads can make use of the roads existing designations<sup>121</sup> or alter these. If new roads or rail connections are required, these corridors would need to be designated. Where possible, the alignment of road / rail networks should avoid encroaching the significant ecological areas along the coastline as well as the identified outstanding natural landscapes and high natural character areas.

### **FIRTH OF THAMES KAWAKAWA BAY RMA APPROVAL STRATEGY**

- 7.32 Based on the environmental values present at this site (assessed from the relevant parts of the AUP), it is considered that obtaining the necessary resource consents to establish and operate a new port at the Kawakawa Bay site is unlikely to be viable. In this regard, the effects generated by the development of the port infrastructure are likely to be at a scale that is not consistent with the clear directives of the AUP (which emulates Policies 11, 13 and 15 of the NZCPS) – being that all adverse effects on outstanding natural landscapes and features are to be avoided and significant adverse effects on high natural character areas, other landscape values and indigenous biodiversity and other seascapes, are also to be avoided.
- 7.33 Nor is it likely that this option would align with the AUP provisions that relate to the Hauraki Gulf Marine Park Act 2000. In particular, section 7 of this Act recognises the Gulf's national significance and places considerable importance on its life supporting capacity which, in turn, provides for the relationship with Mana Whenua and social, economic, recreational and cultural wellbeing of people and communities.

---

<sup>119</sup> Auckland Unitary Plan, Policy B8.5.2(15).

<sup>120</sup> Auckland Regional Policy Statement, Objective B3.2.1(2)-(3).

<sup>121</sup> Or existing use rights.



- 7.34 Undertaking a plan change to provide a port zone over the land and coastal marine area where the port and associated infrastructure will also likely be unviable. In this regard, any plan change must also give effect to the NZCPS and the Regional Policy Statement (as identified in the AUP) – so the same effects thresholds noted above continue to apply.
- 7.35 Section 15 of this report describes alternative planning options that could be pursued should this site be the preferred location for a new port.

## 8. FIRTH OF THAMES: WAIMANGO POINT

- 8.1 The Waimango Point site is located approximately 10km southeast of Kawakawa Bay within the Firth of Thames (see Figure 13 below).



Figure 13: Waimango Point site

- 8.2 Development at this site would likely comprise:
- The establishment of a new reclaimed island off-shore from Waimango Point. The proposed island port would also occupy a footprint of approximately 250 hectares (similar to that illustrated for the Kawakawa Bay site in Figure 11);
  - Construction of two new bridges to provide access to and from the port;
  - Dredging activities would be required; and
  - The development of new or the extension of existing transportation links between the bridges and the existing transportation networks.
- 8.2 It is not known where the bridges will connect with the surrounding land, nor the specific route of road / rail connections to connect the port to the existing road and /or rail network.

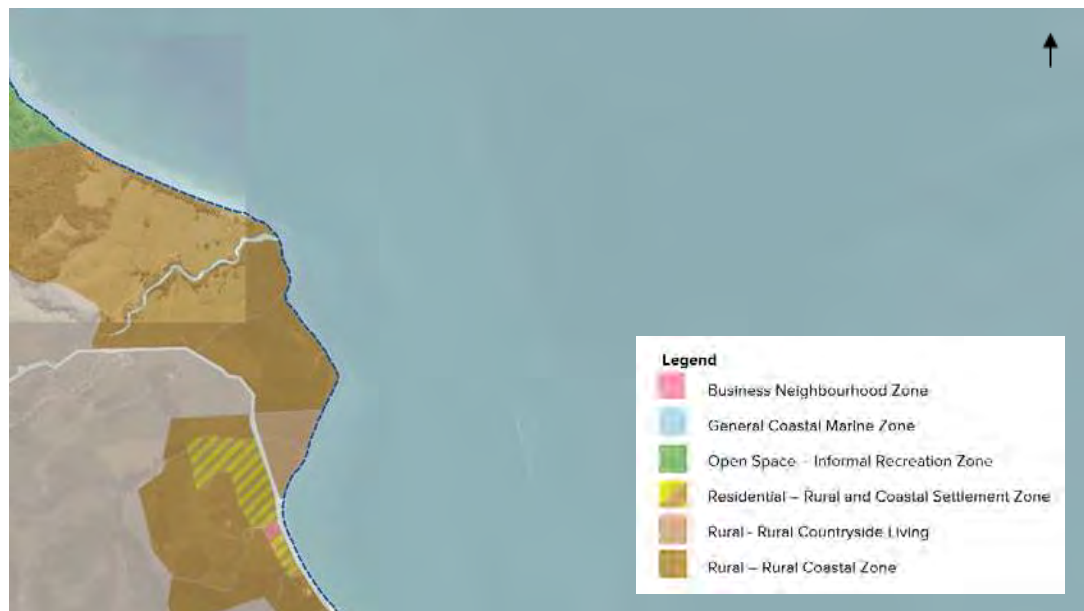
### REGIONAL AND DISTRICT PLANNING PROVISIONS

- 8.3 The Waimango Point site is located within the jurisdiction of Auckland Council. As a unitary authority, Auckland Council undertakes the functions of both a regional and district council. All of the relevant regional and district planning requirements under the RMA, including the Regional Policy Statement for Auckland, are contained within a single document – the AUP.

- 8.4 The AUP was prepared subsequent to the NZCPS being gazetted and is considered to give effect to the directive provisions of the NZCPS.

### Zoning

- 8.5 An overview of the key zones that apply to this site is provided in Figure 14. A fuller analysis of the relevant planning maps relating to this site, including all areas of ecological, cultural and landscape significance, is attached in **Appendix G**.
- 8.6 Situated off the coast from Waimango Point, the site for the island port is located within and surrounded by the General Coastal Marine Zone. Adjoining land based zoning includes areas of Rural Coastal Zone. Other parts of the site are zoned Open Space - Informal Recreation Zone, Rural and Coastal Settlement Zone, Countryside Living Zone, and Business Neighbourhood Zone. The Matingarahi Precinct is located over part of the landward part of the site. This precinct provides for the future development of a small settlement.



**Figure 14: Zoning of the Waimango Point site and surrounds under the AUP.**

- 8.7 This site is also within the Hauraki Gulf Marine Park, established by the Hauraki Gulf Marine Park Act 2000. As discussed with respect to the Kawakawa Bay site (Section 7 of this report), this Act recognises that the interrelationship between the Hauraki Gulf, its islands, and catchments, and the ability of that interrelationship to sustain the life-supporting capacity of the environment, are matters of national significance.<sup>122</sup>

<sup>122</sup> Section 7 of the Hauraki Gulf Marine Park Act 2000.

- 8.8 A proposed Aquaculture Area: Mussels, is identified in the Hauraki Gulf Spatial Plan to the south west of Waimango Point.<sup>123</sup> An existing consented marine farm, 55 hectares in area, is located immediately adjacent to Waimango Point. The maps in **Appendix G** show the locations of the proposed aquaculture area and existing marine farm.

### Key Environmental Values

- 8.9 The key environmental values at and in the vicinity of the Waimango Point site are set out below. A fuller analysis, including the mapped extent of the various applicable values is set out in **Appendix G**.

### Ecological Values<sup>124</sup>

- Significant Ecological Area – Marine 2 Kawakawa to Matingarahi is located from Waimango Point headland northwards to Kawakawa Bay. This area contains notable areas of pohutukawa forest on coastal sediments. Works to establish a new port could avoid this area if located south of Waimango Point;
- No areas of significant ecological value have been identified within the seaward part of the site;
- Three Significant Terrestrial Ecology Areas are located at the site. Several of the Terrestrial Significant Ecological Areas adjoin the coast, one of these areas is partly within the Tapapakanga Regional Park north of Waimango Point, and others comprise narrow strips of land on the coastline;
- The Firth of Thames<sup>125</sup> is considered important for juvenile snapper and spotted dogfish and is a nationally important nursery area for smooth hammerhead shark;
- In the Hauraki Gulf Spatial Plan<sup>126</sup> a marine protected area is located over the Firth of Thames. The area is a *Marine Protected Area Type 2 - Benthic Protection* which aims to 'maintain, restore and protect ecologically important habitat while allowing for compatible uses'; and
- The southern end of the Firth of Thames (between Miranda and Thames) is of international significance for migratory birds.<sup>127</sup>

---

<sup>123</sup> Sea Change: Hauraki Gulf Marine Spatial Plan report, dated April 2017, page 6.

<sup>124</sup> As identified in the Auckland Unitary Plan.

<sup>125</sup> The Sea Change: Hauraki Gulf Marine Spatial Plan report, dated April 2017, is a non-statutory document that has been prepared to develop a spatial plan for the Hauraki Gulf Marine Park with the objective of improving the health, mauri and abundance of the Hauraki Gulf Marine Park.

<sup>126</sup> The Hauraki Gulf Spatial Plan is contained in the document entitled *Sea Change: Spatial Plan of the Hauraki Gulf*, dated April 2017.

<sup>127</sup> Sea Change: Hauraki Gulf Marine Spatial Plan report, dated April 2017, page 287.

### **Natural Character and Landscape Values<sup>128</sup>**

- 8.10 The following natural character and landscape areas are identified at the Waimango Point site:
- An Outstanding Natural Landscape, comprising the 'Hunua Ranges' located inland of Waimango Point, and south of Waimango Point;
  - The southern end of an Outstanding Natural Landscape, Orere Point, is located at the northern tip of Waimango Point;
  - An Outstanding Natural Feature, Tapapakanga Stream Terraces, is located north of Waimango Point;
  - A High Natural Character Area, Tapapakanga Regional Park, is also located north of Waimango Point;
  - A High Natural Character Area, Matingarahi Point, is located south of Matingarahi settlement;
  - The Orere Point Surf Break is located approximately 3km north of the Waimango Point site;<sup>129</sup> and
  - The coastal marine area beyond these identified areas is a relatively natural seascape and forms part of the wider coastal natural character environment.
- 8.11 The identified outstanding natural landscape and the high natural character areas do not cover the entire coastline of this site. There is an area of approximately 1.5km - 2km of coastline (and landward and seaward area on either side) south of Waimango Point that is not within an Outstanding Natural Landscape nor the High Natural Character areas. Therefore, it may be possible to design the port to avoid encroaching these outstanding landscape and high natural character values at the site.

### **Mana Whenua Values<sup>130</sup>**

- The site is within the Treaty Settlement Statutory Acknowledgement Area relating to Ngai Tai ki Tamaki;
- This site also contains a site identified as significant to Mana Whenua, comprising a urupa (burial place); and

---

<sup>128</sup> As identified in the Auckland Unitary Plan.

<sup>129</sup> This surf break is not a Nationally Significant Surf Break and is not listed in Schedule 1 of the NZCPS.

<sup>130</sup> As identified in the Auckland Unitary Plan.

- The Hauraki Gulf Spatial Plan states that Mana Whenua have associations with the Firth of Thames, which is again demonstrated by the applications for customary marine title and / or protected customary rights from various Mana Whenua groups.<sup>131</sup>

### **Likely Resource Consents Required**

- 8.12 Establishing a port facility at Waimango Point will trigger a range of resource consent requirements. It is likely that consents will be required for the following key activities:
- Reclamation for infrastructure requires a resource consent for a discretionary activity. Where it occurs within a Significant Ecological Area Marine 2 or in an outstanding natural feature area, the activity is non-complying;<sup>132</sup>
  - Port facilities and buildings (on the reclaimed island) require resource consent for a discretionary activity. Where it occurs within an outstanding natural landscape and / or features, the activity status is non-complying;<sup>133</sup>
  - Port accessory structures (such as the bridges) require resource consent for a discretionary activity; where within an outstanding natural landscape and / or feature, the activity status is non-complying;<sup>134</sup>
  - Capital dredging requires a resource consent for a discretionary activity;<sup>135</sup>
  - Maintenance dredging requires a resource consent for a restricted discretionary activity;<sup>136</sup>
  - Disturbance of the coastal marine area requires a resource consent for a discretionary activity; where it occurs within an outstanding natural feature or outstanding natural landscape, the activity is non-complying;<sup>137</sup> and
  - Occupation of the coastal marine area requires a resource consent for a discretionary activity.<sup>138</sup>
- 8.13 Where the bridges connect the reclaimed island port to land, a designation could provide for the bridge / road where it is outside of the coastal marine area.
- 8.14 A full rule assessment is included in **Appendix G**.

---

<sup>131</sup> <https://www.courtsofnz.govt.nz/the-courts/high-court/high-court-lists/applications-marine-coastal-list-2/>

<sup>132</sup> Auckland Unitary Plan, Rule F2.19.2 (A10).

<sup>133</sup> Auckland Unitary Plan, Rule F2.19.10 (A139).

<sup>134</sup> Auckland Unitary Plan, Rule F2.19.10 (A140).

<sup>135</sup> Auckland Unitary Plan, Rule F2.19.3 (A23).

<sup>136</sup> Auckland Unitary Plan, Rule F2.19.3 (A23).

<sup>137</sup> Auckland Unitary Plan, Rule F2.19.3 (A25).

<sup>138</sup> Auckland Unitary Plan, Rule F2.19.8 (A84).

## KEY CONSENTING ISSUES

### *Ecological Values*

- 8.15 The AUP provisions that manage effects on significant marine ecological areas require the protection of these areas from adverse effects, and the enhancement of indigenous biodiversity.<sup>139</sup> This includes by avoiding all adverse effects on threatened, at risk or rare indigenous species, ecosystems and habitats, as well as areas of regular or sustained migratory bird roosting, nesting and feeding areas.<sup>140</sup> This approach generally aligns with Policy 11(a) of the NZCPS.
- 8.16 The AUP also contains specific provisions for the Hauraki Gulf. Relevant provisions require ecological values and biodiversity that are unique to the Hauraki Gulf to be protected and assist in avoiding incremental and ongoing degradation of the Gulf's natural and physical resources. The use of the Gulf's natural and physical resources is provided for where activities:
- promote the national significance of the Marine Park;
  - complement the unique values of the Gulf; and
  - do not result in future degradation of the Hauraki Gulf's environmental quality or adversely affect the life-supporting capacity of marine ecosystems.<sup>141</sup>
- 8.17 Whilst the identified significant ecological areas in the AUP do not cover the entirety of this site, the fact that the AUP makes such strong reference to these Hauraki Gulf provisions will mean that a site-specific assessment of the ecological effects will be necessary to ensure that the qualities that do exist and the way that they are affected can be managed to be consistent with achieving the relevant matters.

### *Natural Values*

- 8.18 The AUP seeks to protect Auckland's outstanding natural features and landscapes from inappropriate use and development by avoiding the adverse effects on the natural characteristics and qualities that contribute to the values of the identified landscape, and maintaining high levels of naturalness in outstanding natural landscapes that are also identified as high natural character areas.<sup>142</sup>
- 8.19 The coastal edge of the Waimango Point site is partly within an Outstanding Natural Landscape that is also within a High Natural Character Area. This situation occurs north of

---

<sup>139</sup> Auckland Unitary Plan, Objectives D9(1) and (2).

<sup>140</sup> Auckland Unitary Plan, Policy D9.3(9), Objectives D9.2(1) and (2).

<sup>141</sup> Auckland Unitary Plan, Objectives B8.5.2 and B8.5.1(3).

<sup>142</sup> Auckland Regional Policy Statement, Objective B8.2.1, and Auckland Unitary Plan, Objective D10.2(1) and Policy D10.3(1).

Waimango Point and south of Matingarahi. It would seem that a port development could be sited and designed so as to avoid these identified areas.

- 8.20 The AUP provisions<sup>143</sup> require the management of effects to avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects, on the characteristics and qualities that contribute to natural character values.<sup>144</sup> The proposed location for the reclaimed island comprises relatively open seascape within the Firth of Thames. However, the presence of the existing mussel farm in this location (and others nearby) would suggest that the coastal natural character values and natural seascape values in this location are not so great as to preclude some form of development. The location of the mussel farm is within the part of the site that avoids significant ecological areas and outstanding natural landscape and high natural character areas. Having said that, the port proposal is likely to be viewed in a significantly different way to a mussel farm, due to its much larger scale, the fact that it would comprise a substantial and permanent modification, and that its construction would involve more significant effects to occur on natural character, seascape and ecological values.
- 8.21 Similarly, careful evaluation of the effects of the proposed reclamation and erection of port related structures will be required to determine if the surf break will be affected, as provisions in the AUP require any disposal of material or disturbance activities that will affect an identified surf break to be avoided.<sup>145</sup>
- 8.22 The potential for the development of a settlement at Matingarahi could lead to other considerations associated with locating incompatible land uses in close proximity, such as noise effects.

### ***Mana Whenua Values***

- 8.23 Effects on the identified Urupa site will need to be avoided to achieve provisions that require the protection of sites that are significant to Mana Whenua.<sup>146</sup> This site is relatively small, and therefore development could avoid encroaching upon it.
- 8.24 The provisions that apply specifically to the Hauraki Gulf encourage partnerships with Mana Whenua to protect and enhance the environmental resources and values of the Hauraki Gulf that are important to their traditional, cultural and spiritual relationship with the Gulf.<sup>147</sup> As with the other sites, the associations held by Mana Whenua with the Hauraki Gulf will require fulsome assessment and evaluation for any new port development.

---

<sup>143</sup> Auckland Unitary Plan, Policy E18.3(3).

<sup>144</sup> Auckland Unitary Plan, Policy 18.3(3) and Policy E19.3(2).

<sup>145</sup> Auckland Unitary Plan, Policy F2.3.3(4) and Policy F2.5.3(6).

<sup>146</sup> Auckland Regional Policy Statement, Policy B6.5.2.

<sup>147</sup> Auckland Regional Policy Statement, Policy B8.5.2 (11)-(13).



- 8.25 Furthermore, the reclamation of land around Waimango Point will require the resolution of issues relating to the historical associations of Mana Whenua groups with the area and their current applications for customary marine title and / or protected customary rights.

#### ***Other Values***

- 8.26 As with the Kawakawa Bay site, it is noted that the Hauraki Gulf is also recognised as an important recreational area for the Auckland Region – although the Firth of Thames is not typically under the same recreational pressure as the inner Hauraki Gulf. The policies of the AUP recognise these values and seek to manage potentially conflicting uses so as not to compromise the particular values or qualities of these areas that add to their recreational values.<sup>148</sup>
- 8.27 Consideration of effects on these recreational and associated amenity values will be important for any port development at this site.

#### ***Infrastructure Provisions***

- 8.28 The AUP contains some enabling provisions for infrastructure activities, which by definition includes ports.<sup>149</sup> In line with Policy 9 of the NZCPS, the provisions are primarily focused on enabling the continued use and development of existing ports. This policy recognition does not assist greatly with overcoming the more directive policies that require the avoidance of significant effects on ecological values, or natural character and natural landscape values.
- 8.29 Road and / or rail connections to the Waimango Point site from existing rail lines and / or the State highway network will be required. While the location of the road and / or rail connections to the existing road / rail network are not currently known, the existing road to Matingarahi could be used, however, designating the roads for state highway purposes by NZTA would be required. If new road or rail connections are required, the land between the site and the outskirts of Auckland is predominantly zoned for rural purposes and is sparsely populated. New road / rail corridors through this area could be designated for State highway purpose. Where possible, the alignment of road / rail networks should avoid encroaching the significant ecological areas along the coastline, as well as the identified outstanding natural landscapes and high natural character areas. However, achieving this could be challenging due to the topography of this area.

### **FIRTH OF THAMES WAIMANGO POINT RMA APPROVAL STRATEGY**

- 8.30 The interplay between Hauraki Gulf Marine Park Act 2000 and the AUP, and the fact that the AUP directs that the management of the Hauraki Gulf should give effect to sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000, results in this site option presenting

---

<sup>148</sup> Auckland Unitary Plan, Policy B8.5.2(15).

<sup>149</sup> Auckland Regional Policy Statement, Objective B3.2.1(2)-(3).

considerable consenting challenge (although these are likely less than the Kawakawa Bay site). In particular, section 7 of this Act recognises the Gulf's national significance and places considerable importance on its life supporting capacity, which in turn provides for the relationship with Mana Whenua and social, economic, recreational and cultural wellbeing of people and communities.

- 8.31 Moreover, the directive AUP provisions require decision makers to avoid significant adverse effects on natural character values, indigenous biodiversity and landscape values (including seascapes) more generally. Whilst the proposed port may be able to be designed and sited so as to avoid areas of particular significance in this regard, the effects that emanate from construction and subsequent modification to the coastal marine area are likely to be sufficiently adverse to independently challenge these parts of the AUP policies.
- 8.32 More detailed work on construction methodology and specific mitigation strategies to address such issues may assist to ameliorate these policy concerns. For this reason, if this site continues to remain in contention, it may be worth undertaking a finer grained evaluation of construction options and to work up likely mitigation strategies in greater detail. Until such work is completed, this site option should not be dismissed and should remain a possibility from a consenting perspective.
- 8.33 As indicated above, consideration of potential effects on the identified surf break would likely also be required. This evaluation would need to quantify the extent of adverse effects on the surf break and this would weigh on the extent to which the proposal can meet the relevant provisions of the AUP and NZCPS.
- 8.34 Engaging with Mana Whenua would also be essential to assist with developing plans for the port expansion in a manner that best aligns with cultural concerns and to assist in identifying cultural values of particular significance.
- 8.35 To assist with any application process, the following matters will need to specifically be assessed:
- Effects of the reclamation, structures and construction activities on Mana Whenua values;
  - Effects of the reclamation, structures and construction activities on coastal processes;
  - Effects of the reclamation, structures and construction activities on benthic and marine ecology;
  - Effects of the reclamation, structures and construction activities on marine mammals and their habitat and seabirds and their habitat;
  - Underwater and airborne noise effects associated with construction activities;

- Effects of the reclamation, structures and construction activities on natural character and landscape values; and
- Quantification of benefits (social, economic or other) of the port development.

## 9. MANUKAU HARBOUR: CENTRAL MANUKAU HARBOUR

9.1 The Central Manukau Harbour site is located in the Manukau Harbour, on the Karore Bank (refer to Figure 15 below).

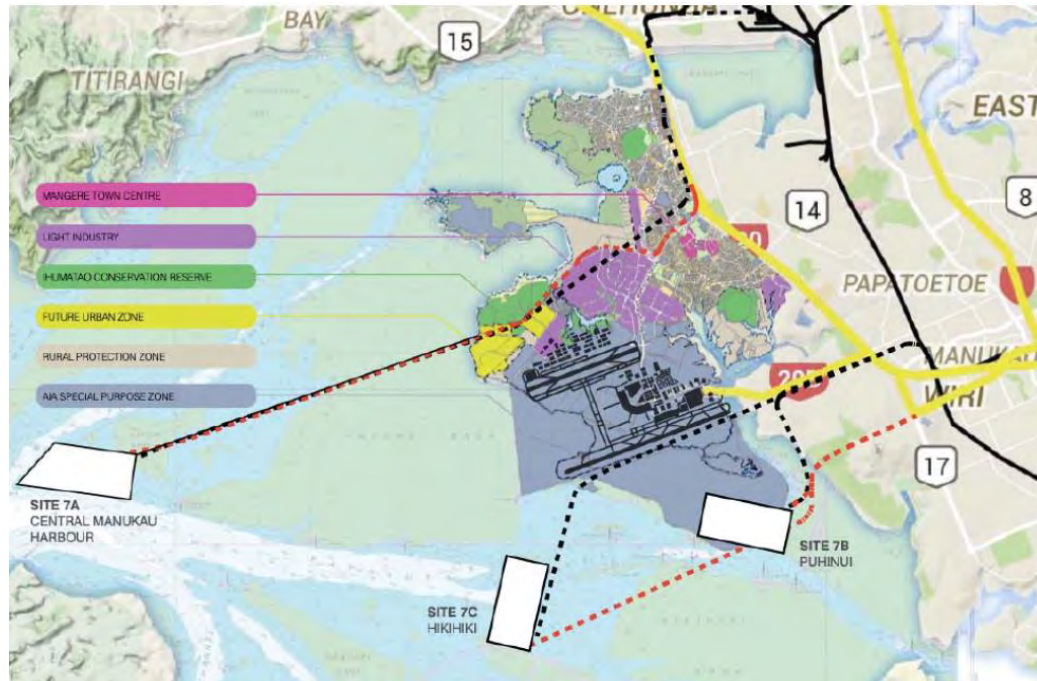


Figure 15: Central Manukau Harbour site (Site 7A).

- 9.2 The establishment of a new port within Central Manukau Harbour is likely to include:
- Establishment of a new reclaimed island in the central harbour, up to 250 hectares in area (refer to the concept set out in Figure 16 below);
  - Dredging of the Papakura Channel;
  - Construction of a 9km long causeway to provide access between the port and the wider Auckland Area; and
  - The development of new transportation links between the causeway and the existing transportation network.

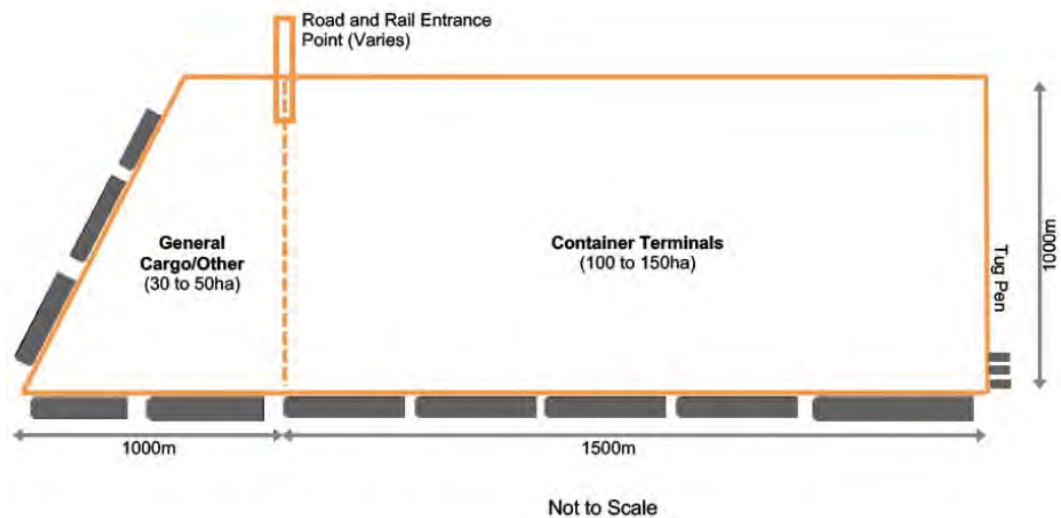


Figure 16: Concept reclamation plan

- 9.3 It is not yet known where the bridges will connect with the surrounding land, nor where the road connections to connect the port to the existing road and /or rail network would be located.

## REGIONAL AND DISTRICT PLANNING PROVISIONS

- 9.4 The Central Manukau Harbour site is located within the jurisdiction of Auckland Council. As a unitary authority, Auckland Council undertakes the functions of both a regional and district council. All of the relevant regional and district planning requirements under the RMA are contained within a single document – the AUP.
- 9.5 The AUP was prepared subsequent to the NZCPS being gazetted and is considered to give effect to the directive provisions of the NZCPS.

## Zoning

- 9.6 An overview of the key land zones that apply to this site is provided in Figure 17. A fuller analysis of the relevant planning maps relating to this site, including all areas of ecological, cultural and landscape significance, is attached in **Appendix H**.
- 9.7 Situated in the centre of the harbour, the site is located within and surrounded by the General Coastal Marine Zone. Closest land based zoning includes areas of Open Space – Conservation Zone, Rural – Rural Coastal Living Zone, Future Urban Zone and Residential – Large Lot Zone.

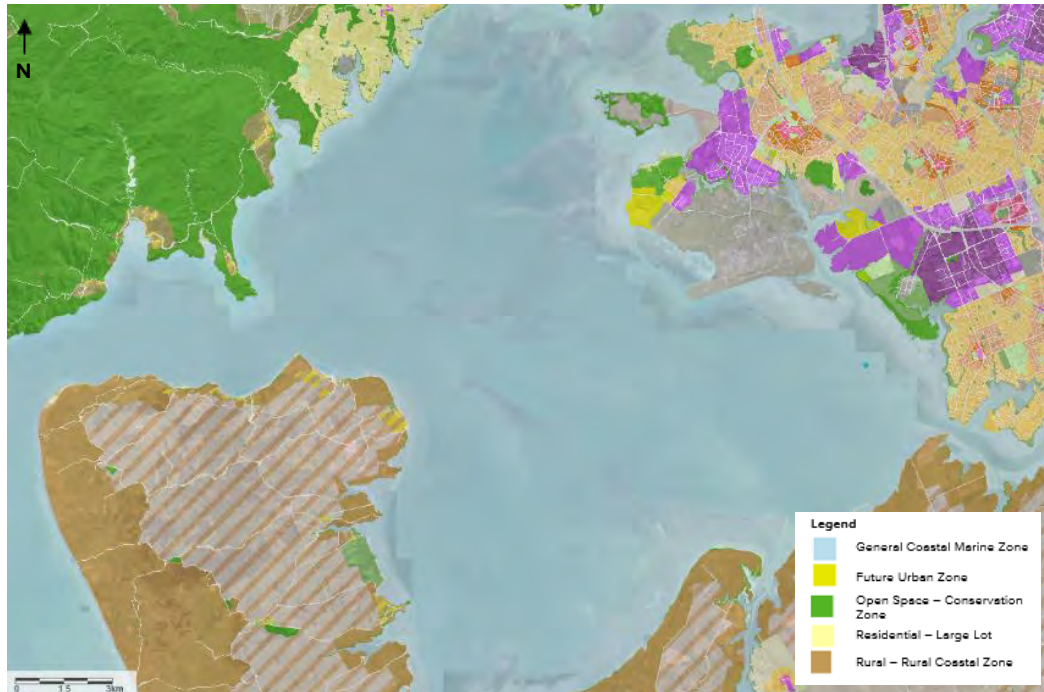


Figure 17: Zoning of the Central Manukau Harbour site and surrounds under the AUP.

### Key Environmental Values

- 9.8 The key environmental values at and in the vicinity of the Central Manukau Harbour site are set out below. A fuller analysis, including the mapped extent of the various applicable values is set out in **Appendix H**.

### Ecological Values<sup>150</sup>

- Karore Bank is partially located within a Significant Ecological Area – Marine 2, due to the habitat it provides for black-billed gulls, New Zealand dotterel, wrybill, South Island pied oystercatchers, Eastern bar-tailed godwit, red knot, and for general congregations of birds that migrate from the South Island breeding sites, and for species migrating from the northern hemisphere;<sup>151</sup>
- No areas of significant ecological value have been identified within the channels surrounding the Central Manukau Harbour site; and
- Almost the entire surrounding coastline and estuarine areas are identified as Significant Marine or Terrestrial Ecological Areas.

<sup>150</sup> As identified in the Auckland Unitary Plan.

<sup>151</sup> Auckland Unitary Plan, Schedule 4.

### **Natural Character and Landscape Values<sup>152</sup>**

- The site is not located in any identified outstanding or high landscape and natural character areas. However, due to the absence of any development in proximity to this site, it is a highly natural seascape and forms part of the wider coastal natural character environment;
- The coastline to the north west of the Central Manukau Harbour site is identified as both an outstanding natural feature and outstanding natural landscape; and
- Discrete areas to the east of the island are also identified as having high natural character values.

### **Mana Whenua Values<sup>153</sup>**

- The site is within the Treaty Settlement Statutory Acknowledgement Area relating to Ngai Tai ki Tamaki, Ngati Tamaoho and Te Kawerau a Maki;
- The site is not within any Sites and Places of Significance to Mana Whenua identified in the AUP; and
- The site is subject to applications for customary marine title and / or protected customary rights from various Mana Whenua groups.<sup>154</sup>

### **Likely Resource Consents Required**

9.9 Port development at the Central Manukau Harbour site will trigger a range of resource consent requirements. These cannot be definitively identified until detailed plans for the port are developed, however based on the information available to date, it is likely that consents will be required for the following activities within the coastal marine area:<sup>155</sup>

- Reclamation for infrastructure requires a resource consent for a discretionary activity; where it occurs within a Significant Ecological Area Marine 2, the activity is non-complying;<sup>156</sup>
- Port facilities and buildings (on the reclaimed island) require resource consent for a discretionary activity;<sup>157</sup>
- Port accessory structures (such as the causeways) require resource consent for a discretionary activity;<sup>158</sup>

---

<sup>152</sup> As identified in the Auckland Unitary Plan.

<sup>153</sup> As identified in the Auckland Unitary Plan.

<sup>154</sup> <https://www.courtsofnz.govt.nz/the-courts/high-court/high-court-lists/applications-marine-coastal-list-2/>

<sup>155</sup> The rules below are from the General Coastal Marine Zone, Auckland Unitary Plan.

<sup>156</sup> Auckland Unitary Plan, Rule F2.19.2 (A10).

<sup>157</sup> Auckland Unitary Plan, Rule F2.19.10 (A139).

<sup>158</sup> Auckland Unitary Plan, Rule F2.19.10 (A140).

- Capital dredging requires a resource consent for a discretionary activity;<sup>159</sup>
- Maintenance dredging requires a resource consent for a restricted discretionary activity; where maintenance dredging is required within a Significant Ecological Area Marine 2, resource consent is required for a Discretionary Activity;<sup>160</sup>
- Disturbance of the coastal marine area requires a resource consent for a discretionary activity.<sup>161</sup> and
- Occupation of the coastal marine area requires a resource consent for a discretionary activity.<sup>162</sup>

9.10 Where the causeways connect the reclaimed island port to land, a designation would provide for the bridge / road where it is outside of the coastal marine area.

9.11 A full rule assessment is included in **Appendix H**.

## **KEY CONSENTING ISSUES**

### ***Ecological Values***

9.12 The provisions of the AUP require protection of areas of significant ecological value from adverse effects and the enhancement of indigenous biodiversity.<sup>163</sup> This includes by avoiding all adverse effects on threatened, at risk or rare indigenous species, ecosystems and habitats, as well as areas of regular or sustained migratory bird roosting, nesting and feeding areas.<sup>164</sup> This approach generally aligns with Policy 11(a) of the NZCPS.

9.13 In accordance with Policy 11(b) of the NZCPS, the AUP also requires that significant adverse effects be avoided on other areas of indigenous biodiversity with lesser ecological significance. All other effects must be avoided, remedied or mitigated.<sup>165</sup>

9.14 Additionally, development which results in the permanent occupation or use of the foreshore and seabed to the extent that it would reduce the values, function or processes associated with a significant marine ecological area, or would change the physical processes that would destroy, modify or damage any natural features or values of such areas, in a more than minor way, are also required to be avoided.<sup>166</sup>

---

<sup>159</sup> Auckland Unitary Plan, Rule F2.19.3 (A23).

<sup>160</sup> Auckland Unitary Plan, Rule F2.19.3 (A23).

<sup>161</sup> Auckland Unitary Plan, Rule F2.19.3 (A25).

<sup>162</sup> Auckland Unitary Plan, Rule F2.19.8 (A84).

<sup>163</sup> Auckland Unitary Plan, Objectives D9.2(1) and (2).

<sup>164</sup> Auckland Unitary Plan, Policy D9.3(9) Objectives D9.2(1) and (2).

<sup>165</sup> Auckland Unitary Plan, Policy D9.3(10).

<sup>166</sup> Auckland Unitary Plan, Policy D9.3(11).



- 9.15 The Central Manukau Harbour holds values relating to both indigenous species and migratory birds. While a finer grained assessment of the specific values ascribed to the site may serve to refine the extent and type of values here, if development of the port and associated causeway cannot avoid effects to the extent outlined above, the proposal will meet significant consenting challenges under both the AUP provisions and Policy 11 of the NZCPS.

### ***Natural Values***

- 9.16 The site is not identified as being part of any outstanding or high natural character and landscape value areas. However, the provisions<sup>167</sup> relating to 'coastal natural character' in the AUP (which give effect to the Policies 13 and 15 of the NZCPS) remain relevant. One such provision requires the avoidance of significant adverse effects and the avoidance, remediation or mitigation of other adverse effects on the characteristics and qualities of natural landscapes and natural features which have particular values, provide a sense of place or identity, or have high amenity value.
- 9.17 The proposed establishment of a reclaimed island and associated 9km long causeway would introduce substantial built form elements into an area that is largely open seascape, absent of any built form and structures. While the AUP does allow consideration to be given to the inherent need for infrastructure, including ports, to locate in certain environments due to operational and functional requirements,<sup>168</sup> demonstrating that a proposed port development would avoid significant effects on this highly natural seascape requires a landscape assessment to confirm - but would likely pose a significant challenge to achieve.

### ***Mana Whenua Values***

- 9.18 Relevant provisions seek to ensure that Mana Whenua values, mātauranga and tikanga are properly reflected and accorded sufficient weight in resource management decision-making.<sup>169</sup> This includes by enabling Mana Whenua to identify the values of sites, including biodiversity and coastal resources.
- 9.19 As with all other sites, the connections held by Mana Whenua with the Manukau Harbour will require early engagement with the relevant Mana Whenua groups and fulsome assessment<sup>170</sup> as part of any future RMA approval process. In doing so, particular regard will need to be given to the potential impacts of the proposal on the exercise of kaitiakitanga, any applications for customary marine title and / or protected customary

---

<sup>167</sup> Auckland Unitary Plan, Policy 18.3(3) and Policy E19.3(2).

<sup>168</sup> Auckland Unitary Plan, Policy E19.3(2).

<sup>169</sup> Auckland Unitary Plan, Objective B6.3.1(1) and Policy B6.3.2(1).

<sup>170</sup> Auckland Unitary Plan, Policy B6.3.2(3).

rights (particularly as impacted by the reclamation), as well as the mauri of coastal resources.<sup>171</sup>

### **Infrastructure**

- 9.20 The AUP contains some enabling provisions for infrastructure activities, which includes ports.<sup>172</sup> Like Policy 9 of the NZCPS, these provisions are generally focussed on existing ports rather than the establishment of greenfield ports, and therefore provide limited assistance when seeking to overcome the more directive policies contained in the AUP and NZCPS.
- 9.21 It is acknowledged that road and / or rail connections to the Central Manukau site from existing rail lines and / or the state highway network will be required. While the location of the road and rail connections from the identified port site to the existing road / rail network are not currently known, State Highways 20A and 20B (at the airport) are closest to the site. Any extension to this network, or extension to the rail network, could be pursued via a designation. Even so, any new road / rail routes should avoid locating within those areas identified above as having significant environmental values, where possible.

### **CENTRAL MANUKAU HARBOUR RMA APPROVAL STRATEGY**

- 9.22 When compared to other alternative greenfield sites considered in this report, this site has relatively fewer identified significant ecological and outstanding landscape and natural character values to contend with (as identified in the AUP).
- 9.23 Notwithstanding this, based on the environmental values present at this site (assessed from the relevant parts of the AUP) it is considered that obtaining the necessary resource consents to establish and operate a new port at the Central Manukau Harbour site will present considerable challenges. Given the clear direction within the AUP provisions to avoid significant adverse effects on indigenous biodiversity and other seascapes, it is considered that it will be difficult to design an option at this site that will not generate such effects.
- 9.24 Undertaking a plan change to provide a port zone over the land and coastal marine area where the port and associated infrastructure will be located will also not be without significant challenges. Any plan change must give effect to the NZCPS and give effect to the relevant higher order provisions of the AUP. Based on the evaluation of the environmental values present at this site, it is considered that successfully promoting a plan change to rezone the site for port purposes is also likely to be difficult.

---

<sup>171</sup> Auckland Unitary Plan, Policy B6.3.2(6).

<sup>172</sup> Auckland Regional Policy Statement, Objective B3.2.1(2)-(3).

- 9.25 Refer to discussion in section 15 which describes alternative planning options that could be pursued should this site be the preferred location for a new port.

## 10. MANUKAU HARBOUR: PUHINUI

10.1 The Puhinui site is located within the Manukau Harbour and straddles the lower regions of the Papakura Channel, Waokauri Creek and Puhinui Creek (refer to Figure 15 in Section 9 above). The establishment of a port at this site will likely include:

- The establishment of a new reclaimed island, on the edges of Papakura Channel, Waokauri Creek and Puhinui Creek. The proposed island port would occupy a footprint of approximately 250 hectares (refer to Figure 16 in Section 9 above);
- Dredging activities to increase the depth of the channel. The poor natural depth of the harbour in this area means extensive capital and maintenance dredging will be required;
- Construction of two new bridges to provide access to and from the port; and
- The extension of existing transportation links between the bridge and the wider transportation network.

10.2 It is not yet known where the bridges will connect with the surrounding land. Due to the proximity of Auckland International Airport, the wider landward area of the site is generally well serviced by established infrastructural networks and industrial precincts.

### REGIONAL AND DISTRICT PLANNING PROVISIONS

10.3 The Puhinui site is located within the jurisdiction of Auckland Council. As a unitary authority, Auckland Council undertakes the functions of both a regional and district council. All of the relevant regional and district planning requirements under the RMA are contained within a single document – the AUP.

10.4 The AUP was prepared subsequent to the NZCPS being gazetted and is considered to give effect to the directive provisions of the NZCPS.

### Zoning

10.5 An overview of the key land zones that apply to this site is provided in Figure 18. A fuller analysis of the relevant planning maps relating to this site, including all areas of ecological, cultural and landscape significance, is attached in **Appendix I**.

10.6 Situated off the coast of the Puhinui Reserve and Auckland International Airport, the site is located within the General Coastal Marine Zone. A small area of Coastal - Minor Port Zone is located immediately adjacent to / within the site and provides for activities associated with the existing LPG terminal. On land, the closest surrounding zones include a mixture of highly modified and highly natural land uses, including Special Purpose (Airport and Quarry) and Business Zones to the north, and Open Space type zones to the east.



Figure 18: Zoning of the Puhinui site and surrounds under the AUP.

### Key Environmental Values

- 10.7 The key environmental values at and in the vicinity of the Puhinui site are set out below. A fuller analysis, including the mapped extent of the various applicable values is set out in **Appendix I**.

#### *Ecological Values*<sup>173</sup>

- The wider Puhinui site is located within six Significant Terrestrial Ecology Areas and six Significant Marine Ecology Areas. These ecological areas occupy almost all of the seaward area of the proposed Puhinui site as well as the adjacent coastline;<sup>174</sup>
- The intertidal banks and shellbanks near Puhinui Creek are valued for their gently-graded sand flats, which support dense populations of intertidal sand flat organisms and provide an extensive feeding ground for thousands of international migratory and New Zealand endemic wading birds, including a number of threatened species;
- In the shelter of the Puhinui, Pukaki, and Waokauri Creeks are significant areas of mangroves, including some of the oldest mangroves in the harbour, in and around Puhinui Creek;

<sup>173</sup> As identified in the Auckland Unitary Plan.

<sup>174</sup> Auckland Unitary Plan, Schedule 4.

- The saltmarsh impounded behind the Puhinui shellbanks is one of the largest and least disturbed areas of saltmarsh remaining in the Manukau Harbour. It supports a variety of indigenous flora and fauna;
- Beyond the Puhinui intertidal sand and shell banks are extensive areas of feeding habitat for waders; and
- The wider site also encompasses the Puhinui Reserve Wetland Management Area which comprises of extensive shoreline saltmarshes that are valued for the stands of coastal manuka, flax, cabbage trees and swamp coprosma.<sup>175</sup>

#### ***Natural Character and Landscape Values<sup>176</sup>***

- The seaward area of the site is not located in any identified outstanding or high landscape and natural character areas. No outstanding natural features have been identified on the site;
- Due to the absence of any development in proximity to this site, it is a natural seascape and forms part of the wider coastal natural character environment. The values of this site are, however, likely to be less than the Central Manukau Harbour site due to the proximity of nearby highly modified environments, such as Auckland International Airport; and
- Surrounding the site are three areas of outstanding natural character, including the Matukutūreia and Matukuturua lava field and tuff ring, the Puhinui Volcanic explosion craters, and the Puhinui intertidal banks and shellbanks.

#### ***Cultural Values<sup>177</sup>***

- The site is within the Treaty Settlement Statutory Acknowledgement Area relating to Ngai Tai ki Tamaki and Ngati Tamaoho;
- Two sites and places of significance to Manu Whenua are also located within the wider Puhinui area – the Matukuturua Stonefields and Maunga Matukuturia (McLaughlins Mountain); and
- The historic Puhinui Fish Traps are located on the banks of Puhinui Creek. These fish traps carry a Hertiage New Zealand Pouhere Taonga Category 2 rating.

---

<sup>175</sup> Auckland Council, Auckland Design Manual, Flora, Fauna & Manuka Forests on the Edge of Manukau Harbour.

<sup>176</sup> As identified in the Auckland Unitary Plan.

<sup>177</sup> As identified in the Auckland Unitary Plan.

### **Other Values**

- The site is located beneath the Auckland International Airport Obstacle Limitation Surface Designation. The purpose of this designation is to define surfaces in the airspace above and adjacent to the Airport that must be kept free from objects or structures to ensure that an appropriate level of safety is maintained for aircraft operating at low altitude in the vicinity of the airport; and
- A number of other values are ascribed to the wider site, within the area where future transportation networks may need to be established. These are identified in full in **Appendix I**.

### **Likely Resource Consents Required**

- 10.8 Establishing a port facility at the Puhinui site will trigger a range of resource consent requirements. These cannot be definitively identified until detailed plans for the port are developed, however based on the information available to date, it is likely that consents will be required for the following activities:<sup>178</sup>
- Reclamation for infrastructure requires a resource consent for a discretionary activity; where it occurs within a Significant Ecological Area Marine 1 or 2, outstanding natural feature or area of historic heritage the activity is non-complying;<sup>179</sup>
  - Port facilities and buildings (on the reclaimed island) require resource consent for a discretionary activity; and where within a Significant Ecological Area Marine 1 and / or outstanding natural feature, the activity is non-complying;<sup>180</sup>
  - Port accessory structures (such as the bridges) require resource consent for a discretionary activity; and where within a Significant Ecological Area Marine 1 and / or outstanding natural feature, the activity is non-complying;<sup>181</sup>
  - Capital dredging requires a resource consent for a discretionary activity; where capital dredging is required within a Significant Ecological Area Marine 1, outstanding natural feature and area of historic heritage, the activity is non-complying;<sup>182</sup>
  - Maintenance dredging requires a resource consent for a restricted discretionary activity; where maintenance dredging is within a Significant Ecological Area Marine 2, the activity is discretionary; where maintenance dredging is within a Significant Ecological Area Marine 1, outstanding natural feature and area of historic heritage, resource consent is required for a non-complying activity;<sup>183</sup>

---

<sup>178</sup> The rules below are from the General Coastal Marine Zone, Auckland Unitary Plan.

<sup>179</sup> Auckland Unitary Plan, Rule F2.19.2 (A10).

<sup>180</sup> Auckland Unitary Plan, Rule F2.19.10 (A139).

<sup>181</sup> Auckland Unitary Plan, Rule F2.19.10 (A140).

<sup>182</sup> Auckland Unitary Plan, Rule F2.19.3 (A23).

<sup>183</sup> Auckland Unitary Plan, Rule F2.19.3 (A23).

- Disturbance of the coastal marine area requires a resource consent for a discretionary activity; where disturbance is within Significant Ecological Areas Marine 1, outstanding natural feature and area of historic heritage, resource consent is required for a non-complying activity;<sup>184</sup> and
  - Occupation of the coastal marine area requires a resource consent for a discretionary activity.<sup>185</sup>
- 10.9 Where the bridges connect the reclaimed island port to land, a designation would provide for the bridge / road where it is outside of the coastal marine area.
- 10.10 A full rule assessment is included in **Appendix I**.

## KEY CONSENTING ISSUES

### *Ecological Values*

- 10.11 The AUP provisions that manage effects on significant ecological areas require the protection of these areas from adverse effects, and the enhancement of indigenous biodiversity.<sup>186</sup> This includes by avoiding all adverse effects on threatened, at risk or rare indigenous species, ecosystems and habitats, as well as areas of regular or sustained migratory bird roosting, nesting and feeding areas.<sup>187</sup> This approach generally aligns with Policy 11(a) of the NZCPS.
- 10.12 In accordance with Policy 11(b) of the NZCPS, the AUP also requires that significant adverse effects be avoided on other areas of indigenous biodiversity with lesser ecological significance. All other effects must be avoided, remedied or mitigated.<sup>188</sup>
- 10.13 Additionally, development which results in the permanent occupation or use of the foreshore and seabed to the extent that it would reduce the values, function or processes associated with a significant marine ecological area, or would change the physical processes that would destroy, modify or damage any natural features or values of such areas, in a more than minor way, are also required to be avoided.<sup>189</sup>
- 10.14 As the identified significant ecological areas in the AUP do not cover the entirety of this site, it may be possible to design the reclamation and associated port infrastructure so as to avoid these areas. Notwithstanding this, a site-specific assessment of the ecological effects of development at the Puhinui site will be necessary to ensure that the qualities that do exist, and the way that they are affected, can be managed to be consistent with the

---

<sup>184</sup> Auckland Unitary Plan, Rule F2.19.3 (A25).

<sup>185</sup> Auckland Unitary Plan, Rule F2.19.8 (A84).

<sup>186</sup> Auckland Unitary Plan, Objectives D9.1) and (2).

<sup>187</sup> Auckland Unitary Plan, Policy D9.3(9), Objectives D9.2(1) and (2).

<sup>188</sup> Auckland Unitary Plan, Policy D9.3(10).

<sup>189</sup> Auckland Unitary Plan, Policy D9.3(11).



directive provisions of the AUP. As the entire coastline surrounding the site is subject to a number of significant marine and terrestrial ecological areas, it is anticipated that assessed values will have high significance and achieving consistency with these policy matters will be difficult to achieve.

- 10.15 The AUP also seeks to maintain or enhance the high natural character and ecological values of wetlands<sup>190</sup> and protect them from degradation and permanent loss.<sup>191</sup> One of the mechanisms identified for achieving this outcome is to avoid the removal or degradation of wetland vegetation<sup>192</sup> and their progressive spatial extent.<sup>193</sup> Within Wetland Management Areas, activities are to be avoided unless the activity is for conservation, public access or infrastructure purposes. and the significant adverse effects on the high natural character and ecological values of the wetland can be avoided.<sup>194</sup>
- 10.16 In order to establish connections to a new greenfield port at Puhinui, it is likely that the Puhinui Wetland will need to be traversed by proposed bridge structures. As set out above, the language of the relevant policy relating to wetland and ecological values is directive and seeks avoidance of important identified values, rather than a lower order management response. This will also present consenting challenges which are likely to be significant.

### ***Natural Values***

- 10.17 The AUP seeks to protect Auckland's outstanding natural features and landscapes by avoiding the adverse effects of inappropriate development on the natural characteristics and qualities that contribute to the values of the identified landscape.<sup>195</sup>
- 10.18 The landward area of the site contains some of the best representative examples of lava fields, and the only cluster of small explosion craters remaining in the Auckland Volcanic field. The intertidal banks and shell banks in this area also hold outstanding character and ecological values. Given the location of these sites along the coastal margin, future transportation connections will need to be designed and located to ensure that the qualities that do exist and the way that they are affected can be managed to be consistent with the relevant provisions within the AUP, particularly those that give effect to the NZCPS.
- 10.19 The provisions<sup>196</sup> relating to 'coastal natural character' in the AUP (which give effect to Policy 13 and 15 of the NZCPS) remain relevant to the seaward areas of the sites not

---

<sup>190</sup> Auckland Unitary Plan, Objective D8.2(1).

<sup>191</sup> Auckland Unitary Plan, Objective, E3.2(1).

<sup>192</sup> Auckland Unitary Plan, Policy D8.3 1(c).

<sup>193</sup> Auckland Unitary Plan, Policy D8.3 1(e).

<sup>194</sup> Auckland Unitary Plan, Policies D8.3(3) and E3.3(1).

<sup>195</sup> Auckland Unitary Plan, Objective D10(1).

<sup>196</sup> Auckland Unitary Plan, Policy 18.3(3) and Policy E19.3(2).

identified as being part of any outstanding or high natural character and landscape value. One such provision requires the avoidance of significant adverse effects and the avoidance, remediation or mitigation of other adverse effects on the characteristics and qualities of natural landscapes and natural features which have particular values, provide a sense of place or identity, or have high amenity value.

- 10.20 The proposed reclamation site is not located within an outstanding or high natural character landscape. The environment surrounding the site is, in some instances, highly modified (such as the reclaimed land near Auckland International Airport), while in other instances remains in a highly natural state (such as Puhinui Wetlands and intertidal flats). A finer grained assessment of the specific values ascribed to the site may serve to refine the extent and type of landscape and character values in this area, and unless the proposed port development and associated bridges can successfully avoid effects to the extent outlined above, the proposal will likely meet significant consenting challenges under both the AUP provisions and Policies 13 and 15 of the NZCPS.

#### ***Mana Whenua Values***

- 10.21 Effects on the identified Matukuturua Stonefields and Maunga Matukuturia sites will need to be avoided to align with the plan provisions that require the protection of sites that are significant to Mana Whenua.<sup>197</sup> This site is relatively discrete and is located landward of the proposed reclamation site. It is therefore likely that future transportation connections could be located to avoid encroaching upon it.
- 10.22 Additional relevant provisions seek to ensure that Mana Whenua values, mātauranga and tikanga are properly reflected and accorded sufficient weight in resource management decision-making.<sup>198</sup> This includes by enabling Mana Whenua to identify the values of sites, including biodiversity and coastal resources.
- 10.23 As with all other sites, the connections held by Mana Whenua with the Manukau Harbour will require extensive consultation and fulsome assessment of options / potential effects<sup>199</sup> as part of any future RMA approval process. In doing so, particular regard will need to be given to the potential impacts of the proposal on Mana Whenua world view, the exercise of kaitiakitanga, applications for protected customary rights and marine title, and the mauri of coastal resources.<sup>200</sup>

---

<sup>197</sup> Auckland Regional Policy Statement, Policy B6.5.2.

<sup>198</sup> Auckland Regional Policy Statement, Objective B6.3.1(1) and Policy B6.3.2(1).

<sup>199</sup> Auckland Regional Policy Statement, Policy B6.3.2(3).

<sup>200</sup> Auckland Regional Policy Statement, Policy B6.3.2(6).

### **Infrastructure**

- 10.24 The AUP contains some enabling provisions for infrastructure activities, which includes ports.<sup>201</sup> Like Policy 9 of the NZCPS, these provisions are generally focussed on existing ports rather than the establishment of greenfield ports and therefore provide limited assistance when seeking to address the more directive policies contained in the AUP and NZCPS.
- 10.25 The proximity of the site relative to Auckland International Airport triggers consideration of provisions that seek to ensure that development does not occur in a location or form that constrains the development and operation of existing infrastructure.<sup>202</sup> Such provisions would be relevant should any proposed port activities start to encroach the obstacle limitation surfaces surrounding the airport, or should any proposed port activities (such as lighting) give rise to safety effects of aircraft on approach or departure from the airport.
- 10.26 More relevantly, if any activities are likely to penetrate into the designated obstacle limitation surfaces, the approval of Auckland International Airport Limited (as the entity or requiring authority that holds the designation) would be required under section 176(1)(b) of the RMA. As the obstacle limitation surface designation clearly states that “*No obstacle shall penetrate the OLS...*”<sup>203</sup>, it would be reasonable to assume that approval would not be forthcoming and activities at the proposed port would not be able to extend into these surfaces.
- 10.27 Road and / or rail connections to the Puhinui site from existing rail lines and / or the state highway network will be required. While the location of the road and rail connections to the existing road / rail network are not currently known, State Highways 20A and 20B (at the airport) are closest to the site. Any extension to this network, or extension to the rail network, could be pursued via a designation. Even so, any new road / rail routes should avoid locating within those areas identified above as having significant environmental values. In this location, this will likely present challenges.

### **PUHINUI RMA APPROVAL STRATEGY**

- 10.28 When compared to other alternative greenfield sites considered in this report, this site has relatively fewer identified significant ecological and outstanding landscape and natural character values to contend with (as identified in the AUP). Notwithstanding this, the site is surrounded by areas of broadly defined significant marine and terrestrial ecology, areas of outstanding natural character and areas of significant value to Mana Whenua.
- 10.29 Given the clear direction within the AUP provisions to avoid all effects on outstanding natural character and landscapes, and to avoid significant adverse effects on indigenous

---

<sup>201</sup> Auckland Regional Policy Statement, Objective B3.2.1(2)-(3).

<sup>202</sup> Auckland Regional Policy Statement, Policy B3.2.2(5).

<sup>203</sup> Designation Schedule – Auckland International Airport.

biodiversity and other seascapes, it is considered likely that this option will be difficult to consent. If it proves viable to site and design the port to avoid identified significant natural character and landscape areas, the prospect of consents being obtainable is improved. This will require some finer grained analysis of these values should this site option be pursued further.

- 10.30 Undertaking a plan change to provide a port zone over the land and coastal marine area where the port and associated infrastructure will be located will also not be without significant challenges. Any plan change must give effect to the NZCPS and give effect to the relevant higher order provisions of the AUP. Based on the evaluation of the environmental values present at this site, it is considered that successfully promoting a plan change to rezone the site for port purposes is also likely to be difficult.
- 10.31 Refer to discussion in Section 15 which describes alternative planning options that could be pursued should this site be the preferred location for a new port.

## **11. MANUKAU HARBOUR: HIKIHIKI**

11.1 The Hikihihi Site is located within the Manukau Harbour, on the western reaches of the Hikihihi Bank (refer to Figure 15 in Section 9 above). The establishment of a new port at this site will likely include:

- The establishment of a new reclaimed island on the Hikihihi Bank, adjacent to the Papakura Channel. The proposed island port would occupy a footprint of approximately 250 hectares (refer to the concept design in Figure 16 in Section 9 above);
- Dredging activities to increase the depth of the channels, albeit less than the capital and maintenance dredging associated with the Puhinui site;
- Construction of two new bridges to provide access to and from the port; and
- The development of new or extension of existing transportation links between the bridges and the existing transportation networks.

11.2 It is not yet known where the bridges will connect with the surrounding land. Due to the proximity of Auckland International Airport, the wider landward area of the site is generally well serviced by established infrastructural networks and industrial precincts.

### **REGIONAL AND DISTRICT PLANNING PROVISIONS**

11.3 The Hikihihi site is located within the jurisdiction of Auckland Council. As a unitary authority, Auckland Council undertakes the functions of both a regional and district council. All of the relevant regional and district planning requirements under the RMA are contained within a single document – the AUP.

11.4 The AUP was prepared subsequent to the NZCPS being gazetted and is considered to give effect to the directive provisions of the NZCPS.

### **Zoning**

11.5 An overview of the key land zones that apply to this site is provided in Figure 19. A fuller analysis of the relevant planning maps relating to this site, including all areas of ecological, cultural and landscape significance, is attached in **Appendix J**.

11.6 Situated in the centre of the harbour, the site is located within and surrounded by the General Coastal Marine Zone. Closest land based zoning includes areas of Rural – Rural Coastal Zone, Residential – Mixed Use Suburban Zone, and Open Space – Informal Recreation Zone.

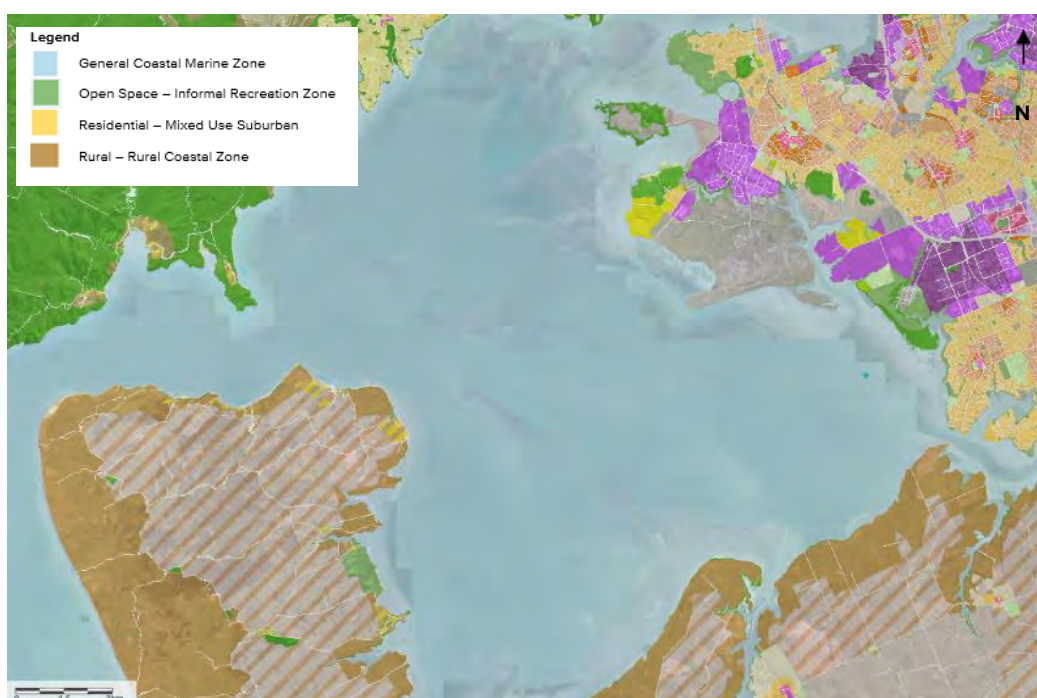


Figure 19: Zoning of the Hikihihi site and surrounds under the AUP.

### Key Environmental Values

- 11.7 The key environmental values at and in the vicinity of the Hikihihi site are set out below. A fuller analysis, including the mapped extent of the various applicable values is set out in **Appendix J**.

### Ecological Values<sup>204</sup>

- The site is located within two identified Significant Ecological Areas – Marine 2. These ecological areas occupy a large portion of the Hikihihi Bank and relate to the intertidal banks and wading bird habitats;<sup>205</sup>
- No areas of significant ecological value have been identified within the channels surrounding the Hikihihi site; and
- Almost the entire surrounding coastline and estuarine areas are identified as Significant Marine or Terrestrial Ecological Areas.

<sup>204</sup> As identified in the Auckland Unitary Plan.

<sup>205</sup> Auckland Unitary Plan, Schedule 4.

### **Natural Character and Landscape Values<sup>206</sup>**

- The site is not located in any identified outstanding or high landscape and natural character areas. No outstanding natural features have been identified in the vicinity of the site;
- Due to the absence of any development in proximity to this site, it is a natural seascape and forms part of the wider coastal natural character environment. The values of this site are, however, likely to be less than the Central Manukau Harbour site due to the proximity of nearby highly modified environments, such as Auckland International Airport; and
- Discrete areas of the surrounding coastline, including Kidds Beach to the south of the site, is identified as both an outstanding natural feature and an area with high natural character.

### **Cultural Values<sup>207</sup>**

- The site is within the Treaty Settlement Statutory Acknowledgement Area relating to Ngai Tai ki Tamaki and Ngati Tamaoho;
- The site is not within any Sites and Places of Significance to Mana Whenua identified in the AUP; and
- The site is subject to applications for customary marine title and / or protected customary rights from various Mana Whenua groups.<sup>208</sup>

### **Other Values**

- The site is located beneath the Auckland International Airport Obstacle Limitation Surface Designation. The purpose of this designation is to define surfaces in the airspace above and adjacent to the Airport that must be kept free from objects or structures to ensure that an appropriate level of safety is maintained for aircraft operating at low altitude in the vicinity of the airport.

### **Likely Resource Consents Required**

- 11.8 The construction, operation and use of a new reclaimed island for port activities, in the vicinity of the Hikihiki Bank, will trigger a range of resource consent requirements. These cannot be definitively identified until detailed plans for the port expansion are developed,

---

<sup>206</sup> As identified in the Auckland Unitary Plan.

<sup>207</sup> As identified in the Auckland Unitary Plan.

<sup>208</sup> <https://www.courtsofnz.govt.nz/the-courts/high-court/high-court-lists/applications-marine-coastal-list-2/>

however based on the information available to date, it is likely that consents will be required for the following activities within the coastal marine area:<sup>209</sup>

- Reclamation for infrastructure requires a resource consent for a discretionary activity; where it occurs within a Significant Ecological Area Marine 2 the activity is non-complying;<sup>210</sup>
- Port facilities and buildings (on the reclaimed island) require resource consent for a discretionary activity;<sup>211</sup>
- Port accessory structures (such as the bridges) require resource consent for a discretionary activity;<sup>212</sup>
- Capital dredging requires a resource consent for a discretionary activity;<sup>213</sup>
- Maintenance dredging requires a resource consent for a restricted discretionary activity; where maintenance dredging is required within a Significant Ecological Area Marine 2, resource consent is required for a discretionary activity;<sup>214</sup>
- Disturbance of the coastal marine area and within Significant Ecological Area Marine 2 requires a resource consent for a discretionary activity;<sup>215</sup> and
- Occupation of the coastal marine area requires a resource consent for a discretionary activity.<sup>216</sup>

11.9 Where the bridges connect the reclaimed island port to land, a designation would provide for the bridge / road where it is outside of the coastal marine area.

11.10 A full rule assessment is included in **Appendix J**.

## **KEY CONSENTING ISSUES**

### ***Ecological Values***

11.11 As noted with respect to the other Manukau Harbour sites, the provisions of the AUP require protection of areas of significant ecological value from adverse effects and the enhancement of indigenous biodiversity.<sup>217</sup> This includes by avoiding all adverse effects on threatened, at risk or rare indigenous species, ecosystems and habitats, as well as areas of

---

<sup>209</sup> The rules below are from the General Coastal Marine Zone, Auckland Unitary Plan.

<sup>210</sup> Auckland Unitary Plan, Rule F2.19.2 (A10).

<sup>211</sup> Auckland Unitary Plan, Rule F2.19.10 (A139).

<sup>212</sup> Auckland Unitary Plan, Rule F2.19.10 (A140).

<sup>213</sup> Auckland Unitary Plan, Rule F2.19.3 (A23).

<sup>214</sup> Auckland Unitary Plan, Rule F2.19.3 (A23).

<sup>215</sup> Auckland Unitary Plan, Rule F2.19.3 (A25).

<sup>216</sup> Auckland Unitary Plan, Rule F2.19.8 (A84).

<sup>217</sup> Auckland Unitary Plan, Objectives D9.2(1) and (2).



regular or sustained migratory bird roosting, nesting and feeding areas.<sup>218</sup> This approach generally aligns with Policy 11(a) of the NZCPS.

- 11.12 In accordance with Policy 11(b) of the NZCPS, the AUP also requires that significant adverse effects be avoided on other areas of indigenous biodiversity with lesser ecological significance. All other effects must be avoided, remedied or mitigated.<sup>219</sup>
- 11.13 Additionally, development which results in the permanent occupation or use of the foreshore and seabed to the extent that it would reduce the values, function or processes associated with a significant marine ecological area, or would change the physical processes that would destroy, modify or damage any natural features or values of such areas, in a more than minor way, are also required to be avoided.<sup>220</sup>
- 11.14 The intertidal banks at the Hikihiki site are of ecological significance and support some of the most diverse and abundant intertidal sand flat organisms in the Manukau Harbour. The area is also an extensive feeding ground for migratory and endemic wading birds. These areas cover the vast majority of the site. While a finer grained assessment of the specific values ascribed to the site may serve to refine the extent and type of values here, if development cannot avoid effects to the extent outlined above, the proposal will be confronted with significant challenges within the RMA approval process due to the effect of the relevant AUP provisions and Policy 11 of the NZCPS.

### ***Natural Values***

- 11.15 The site is not identified as being part of any outstanding or high natural character and landscape value areas. However, the provisions<sup>221</sup> relating to 'coastal natural character' in the AUP, particularly those that give effect to the NZCPS, remain relevant. One such provision requires the avoidance of significant adverse effects and the avoidance, remediation or mitigation of other adverse effects on the characteristics and qualities of natural landscapes and natural features which have particular values, provide a sense of place or identity, or have high amenity value.
- 11.16 While in this particular instance, the landscape qualities of the site are likely to be compromised by the presence of existing modified landscapes, managing the adverse effects on natural character and landscape values of this seascape will still present challenges in terms of this policy, albeit slightly less than the Central Manukau Harbour site.

---

<sup>218</sup> Auckland Unitary Plan, Policy D9.3(9), Objectives D9.2(1) and (2).

<sup>219</sup> Auckland Unitary Plan, Policy D9.3(10).

<sup>220</sup> Auckland Unitary Plan, Policy D9.3(11).

<sup>221</sup> Auckland Unitary Plan, Policy 18.3(3) and Policy E19.3(2).

### **Mana Whenua Values**

- 11.17 Relevant provisions seek to ensure that Mana Whenua values, mātauranga and tikanga are properly reflected and accorded sufficient weight in resource management decision-making.<sup>222</sup> This includes by enabling Mana Whenua to identify the values of sites, including biodiversity and coastal resources.
- 11.18 As with all other sites, the connections held by Mana Whenua with the Manukau Harbour will require extensive consultation and fulsome assessment of options / potential effects<sup>223</sup> as part of any future RMA approval process. In doing so, particular regard will need to be given to the potential impacts of the proposal on Mana Whenua world view, the exercise of kaitiakitanga, any applications for customary rights and mauri of coastal resources.<sup>224</sup>

### **Infrastructure**

- 11.19 The AUP contains some enabling provisions for infrastructure activities, which includes ports.<sup>225</sup> Like Policy 9 of the NZCPS, these provisions are generally focussed on existing ports rather than the establishment of greenfield ports and therefore provide limited assistance when seeking to address the more directive policies contained in the AUP and NZCPS.
- 11.20 The proximity of the site relative to Auckland International Airport triggers consideration of provisions that seek to ensure that development does not occur in a location or form that constrains the development and operation of existing infrastructure.<sup>226</sup> Such provisions would become particularly relevant should any proposed port activities start to encroach the obstacle limitation surfaces surrounding the airport, or should any proposed port activities (such as lighting) give rise to safety effects of aircraft on approach or departure from the airport.
- 11.21 More relevantly, if any activities are likely to penetrate into the designated obstacle limitation surfaces, the approval of Auckland International Airport Limited (as the entity or requiring authority that holds the designation) would be required under section 176(1)(b) of the RMA. As the obstacle limitation surface designation clearly states that “*No obstacle shall penetrate the OLS...*”<sup>227</sup>, it would be reasonable to assume that approval would not be forthcoming and activities at the proposed port would not be able to extend into these surfaces.

---

<sup>222</sup> Auckland Regional Policy Statement, Objective B6.3.1(1) and Policy B6.3.2(1).

<sup>223</sup> Auckland Regional Policy Statement, Policy B6.3.2(3).

<sup>224</sup> Auckland Regional Policy Statement, Policy B6.3.2(6).

<sup>225</sup> Auckland Regional Policy Statement, Objective B3.2.1(2)-(3).

<sup>226</sup> Auckland Regional Policy Statement, Policy B3.2.2(5).

<sup>227</sup> Designation Schedule – Auckland International Airport.

- 11.22 Further, it is acknowledged that road and / or rail connections to the Hikihiki site from existing rail lines and / or the state highway network will be required. While the location of the road and rail connections to the existing road / rail network are not currently known, State Highways 20A and 20B (at the airport) are closest to the site. Any extension to this network, or extension to the rail network, could be pursued via a designation. Even so, any new road / rail routes should avoid locating within those areas identified above as having significant environmental values, where possible.

#### **HIKIHICI RMA APPROVAL STRATEGY**

- 11.23 When compared to other alternative greenfield sites considered in this report, this site has relatively fewer identified significant ecological and outstanding landscape and natural character values to contend with (as identified in the AUP). Notwithstanding this, the site is surrounded by areas of broadly defined significant marine and terrestrial ecology, areas of outstanding natural character and areas of significant value to Mana Whenua.
- 11.24 Given the clear direction within the AUP to avoid all effects on outstanding natural character and landscapes, and to avoid significant adverse effects on indigenous biodiversity and other seascapes, it is considered likely that this option will be challenging to consent. If it proves viable to site and design the port to avoid identified significant natural character and landscape areas, the prospect of consents being obtainable is improved. This will require some finer grained analysis of these values should this site option be pursued further.
- 11.25 Undertaking a plan change to provide a port zone over the land and coastal marine area where the port and associated infrastructure will be located will also not be without significant challenges. Any plan change must give effect to the NZCPS and give effect to the relevant higher order provisions of the AUP. Based on the evaluation of the environmental values present at this site, it is considered that successfully promoting a plan change to rezone the site for port purposes is also likely to be difficult.
- 11.26 Refer to discussion in Section 15 which describes alternative planning options that could be pursued should this site be the preferred location for a new port.

## 12. INLAND PORT KUMEU

- 12.1 A new inland port site has been identified as a potential option on the outskirts of Kumeu, a small agricultural centre located approximately 25km from central Auckland. The township is well serviced by both roading and rail networks, with State Highway 16 traversing through the centre of the town. Rural activity comprises the predominant land use beyond the township (see Figure 20 below).

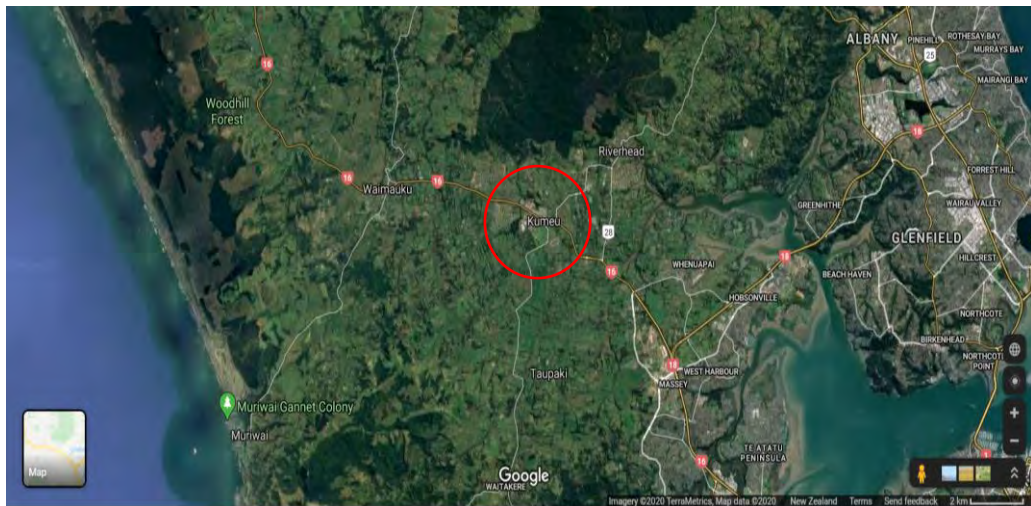


Figure 20: Location map of Kumeu

- 12.2 The specific location of the inland port has yet to be determined, however the development of an inland port will likely include one, or all, of the following:
- Development of a 90 hectare inland port facility (the approximate equivalent to the logistics and inland port services at Ruakura, Hamilton);
  - Development of railway sidings to and from existing rail networks; and
  - Intersection and roading upgrades to provide connectivity from the site, to the state highway network.

- 12.3 For the purpose of this evaluation, it has been assumed that the site will be located adjacent to the existing railway line, between Waimauku and Huapai or Kumeu and Taupaki. It has also been assumed that the site will be located outside of the settlements of Kumeu and Huapai.

### REGIONAL AND DISTRICT PLANNING PROVISIONS

- 12.4 The proposed inland port site is located within the jurisdiction of Auckland Council. As a unitary authority, Auckland Council undertakes the functions of both a regional and district council. All of the relevant regional and district planning requirements under the RMA, including the Regional Policy Statement for Auckland, are contained within a single document – the AUP.

## Zoning

- 12.5 An overview of the key zones that apply to this site is provided in Figure 21. A fuller analysis of the relevant planning maps relating to this site, including all areas of ecological, cultural and landscape significance, is attached in **Appendix K**.
- 12.6 The general area proposed to accommodate a proposed new inland port is subject to four different land use zones including:
- Future Urban Zone;
  - Rural – Mixed Rural Zone;
  - Rural – Countryside Living Zone; and
  - Rural – Rural Production Zone.
- 12.7 The land directly adjacent to the railway lines is predominantly zoned Rural - Countryside Living and Rural - Rural Mixed Use and Future Urban Zones.

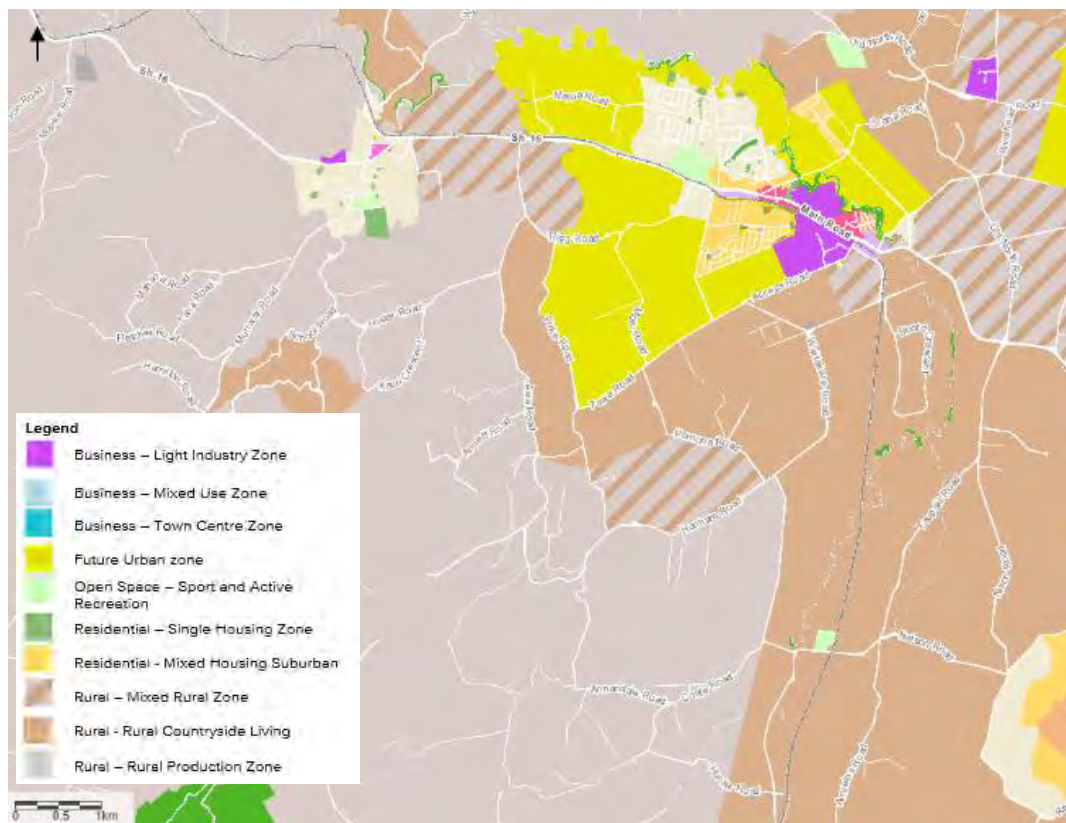


Figure 21: Zoning of the Kumeu Inland Port site and surrounds under the AUP.

## Key Environmental Values

- 12.8 The area proposed to accommodate the Kumeu Inland Port site is located within the Treaty Settlement Statutory Acknowledgement Area relating to Te Kawerau a Maki;

- 12.9 No areas of significant ecological, landscape or character values have been identified for this area in the AUP. However, the area is located within a High-Use Stream Management Area and the Kumeu Waitemata High Use Aquifer Management Area; and,
- 12.10 The areas outside of the Kumeu and Huapai settlements are located outside of the Rural Urban Growth Boundary.

### **Likely Resource Consents Required**

- 12.11 The construction, operation and use of a new inland port on the outskirts of Kumeu will trigger a range of resource consent requirements. These cannot be definitively identified until a site is identified and detailed plans for the inland port are developed. However, based on the information available to date, it is likely that resource consent will be required for a non-complying activity if the inland port is located in full, or in part of the Rural Mixed Use, Countryside Living or Rural Production Zones.<sup>228</sup>
- 12.12 Within the Future Urban Zone, the AUP states that “*Land may be used for a range of general rural activities but cannot be used for urban activities until the site is rezoned for urban purposes.*”<sup>229</sup> Unlike other zones, the Future Urban Zone does not go on to identify a default activity status for items not listed in the relevant table. Accordingly, inland port activities could conceivably be a permitted activity within this zone.
- 12.13 Note, that other provisions of the AUP will apply in addition to the zone rules identified above. As these typically relate to building bulk and scale type matters, they have not been evaluated in this report.

## **KEY CONSENTING ISSUES**

### ***Rural Urban Boundary***

- 12.14 The AUP seeks to promote a compact urban form by containing urbanisation within the Rural Urban Boundaries<sup>230</sup> and avoiding urbanisation beyond the boundaries.<sup>231</sup> Despite this, the plan contemplates the potential relocation of the boundaries in locations that:
- Promote the achievement of a quality compact urban form;
  - Enable the efficient supply of land for residential, commercial and industrial activities and social facilities;
  - Integrates land use and transport supporting a range of transport modes;

---

<sup>228</sup> Auckland Unitary Plan, Proposed Rule H19.8.1 (AA2). Note this rule was introduced via Plan Change 20 to the Auckland Unitary Plan. Decisions were released on 4 February 2020. Accordingly, the rule has legal effect.

<sup>229</sup> Auckland Unitary Plan, H18.1 Zone Description.

<sup>230</sup> Auckland Regional Policy Statement, Objectives B2.2.1(1) and (4).

<sup>231</sup> Auckland Regional Policy Statement, Policy B2.2.2(4).

- Supports the efficient provision of infrastructure; and
- Provides choices that meet the needs of people and communities for a range of housing types and working environments.

12.15 While achieving the above, the provisions also require the protection of identified areas of cultural, landscape or ecological value and the avoidance of areas of elite soils and where practicable, prime soils.<sup>232</sup>

12.16 In the light of these policy provisions, establishing an inland port outside of the Rural Urban Boundary could face some RMA consenting challenges. However, provided the soils underlying the site are not found to be “elite” or “prime”, the port effectively utilises the existing road and rail networks, and sufficient provision is available with Kumeu and Huapai to service the port (in terms of its residential, industrial and social needs), there is a potential favourable consenting pathway available.

#### ***Amenity and Rural Character***

12.17 The AUP also seeks to avoid significant adverse effects of urbanisation of rural areas and avoid, remedy or mitigate other effects on rural character, amenity, landscape and biodiversity values.<sup>233</sup>

12.18 Similarly, within both the Rural Productive and Countryside Living Zones, the provisions focus on ensuring that the productive potential of the land is maintained<sup>234</sup> and that the character, amenity and biodiversity values of the areas are maintained or enhanced.<sup>235</sup> Within the Rural Countryside Living Zone specifically, the policies<sup>236</sup> seek to avoid urban form, maintain and enhance rural character and amenity values, and discourage activities that will significantly reduce the rural character and amenity of the zone.

12.19 Given the length of rail network through this general area, there are a number of potential siting options available for an inland port. While the nature, scale and intensity of the inland port activities are unlikely to be commensurate with rural production or countryside living activities, there is potential for the port to be located suitably distant from areas of residential activity, and with appropriate mitigation, to potentially manage these effects.

#### ***Industrial Opportunities***

12.20 Other provisions encourage employment and industrial opportunities to meet future and current demands and encourage industrial growth, where it promotes economic

---

<sup>232</sup> Auckland Regional Policy Statement, Policy B2.2.2(2).

<sup>233</sup> Auckland Regional Policy Statement, Policy B9.2.2(1).

<sup>234</sup> Auckland Unitary Plan, Objectives H19.2.3(2) and B19.7.2(3).

<sup>235</sup> Auckland Unitary Plan, Objective H19.2.3(1).

<sup>236</sup> Auckland Unitary Plan, Policy H19.7.3(1) and (4).

development and efficient use of resources.<sup>237</sup> Provisions also seek to enable the supply of flat industrial land where efficient access to freight routes, rail or freight hubs, ports and airports is available and can be efficiently served by infrastructure.<sup>238</sup> These provisions are likely to assist navigating through the RMA approval process for an inland port.

## **INLAND PORT KUMEU RMA APPROVAL STRATEGY**

- 12.21 Overall, based on the absence of any significant ecological, landscape or character values in this area, the consenting challenges for an inland port at Kumeu are significantly lower than the coastal based options identified elsewhere in the Auckland Region. While the RMA approval phase of such a development will not be without its challenges, with well-considered site configuration and mitigation techniques, these could be overcome. Set out below is a high level RMA approval strategy for the site.

### ***Siting Options***

- 12.22 There are numerous siting options available within the wider Kumeu site area. A comprehensive site selection process should be undertaken, in consultation with Mana Whenua and relevant key stakeholders, to identify the most appropriate location for the inland port. The options considered should be documented, along with any high level consideration of the environmental, social, cultural and economic costs and benefits that may have informed the site selection process. These considerations should be informed by inputs received by appropriately qualified technical experts in the fields of noise, transportation, landscape, geotechnical and productive soils.
- 12.23 As transportation links will form a key part of this process, early discussions with the NZ Transport Agency and KiwiRail will be critical to success of this process. Alterations to the existing road and rail designations may be required to facilitate the transportation links to the inland port.
- 12.24 It is also advisable that consultation with the affected communities is also undertaken at this preliminary phase of the project. Regular and meaningful consultation is fundamental to the success of any project of significance, therefore it is critical that consultation occurs throughout the project inception. Demonstrating how the community concerns have been considered will be critical to the success of a project of this scale.

### ***Plan Change Application***

- 12.25 Once a site has been selected, a plan change application is likely to be the best option for advancing the proposal. This would simplify the planning regime and would establish a more permissive consenting approach for activities undertaken at the inland port.

---

<sup>237</sup> Auckland Regional Policy Statement, Objective B2.5.1(1) and (3).

<sup>238</sup> Auckland Regional Policy Statement, Policy B2.5.2(8).



- 12.26 A number of technical assessments will need to be obtained to inform the plan change application. This will likely require technical assessment of the effects of the plan change proposal (to enable the development and operation of an inland port) on the following:
- Planning matters;
  - Mana Whenua values;
  - Rural productive soils;
  - Rural character and amenity;
  - The transportation network;
  - Visual and landscape amenity;
  - Geotechnical and hazard mitigation;
  - Noise and vibration; and
  - Economic and social benefits which accrue.
- 12.27 Any adverse effects identified in these reports will need to be appropriately managed by land use controls imposed via the new inland port zone, including via the use of a structure plan.<sup>239</sup>
- 12.28 Resource consents will also likely be required for any water takes, discharges to land, water or air and land disturbance activities. The nature and scope of these will need to be defined on the completion of detailed design.

---

<sup>239</sup> AUP, Appendix 1: Structure Plan Guidelines.

### **13. COMPARATIVE ANALYSIS**

- 13.1 Table 1 provides a comparative analysis of the RMA consenting viability of the nine sites identified for possible port development, that have been evaluated in this report. This comparative analysis should be read in conjunction with Sections 4 to 12 of the report, and the associated appendices, which provide a more fulsome evaluation of these sites.

Table 2: Comparison of key consenting issues of all site options

Key Consenting Issues	Ports of Auckland Extension	Northport Extension	Port of Tauranga Extension	Kawakawa Bay Island Port	Waimango Point Island Port	Central Manukau Island Port	Puhinui Island Port	Hikihiki Island Port	Kumeu Inland Port
<p>Located within Outstanding Natural Landscapes or Outstanding Natural Features</p> <p><i>General policy directive: Avoid all adverse effects where relates to Outstanding Natural Landscapes or Outstanding Natural Features in the coastal environment</i></p>	Not applicable	Not applicable	Not applicable	<p>Applies</p> <p>The wider site contains an outstanding natural feature and outstanding natural landscape area. Port development works (i.e. bridge connections) will need to avoid encroaching into these areas to avoid all effects on these landscapes.</p>	<p>Applies</p> <p>The wider site contains outstanding natural landscape areas that extend over parts of the coastal marine area. Port development works (i.e. bridge connections) would need to avoid locating in these areas to avoid all effects on these landscapes.</p>	Not applicable	<p>Applies</p> <p>This wider site contains three outstanding natural features along the coastal interface. Port development works would need to avoid locating in these areas to avoid all effects on these landscape features.</p>	Not applicable	Not applicable
<p>Located within the wider coastal environment and associated natural landscapes and seascapes</p> <p><i>General policy directive: Avoid significant adverse effects and avoid, remedy or mitigate other effects on the coastal environment</i></p>	<p>Applies</p> <p>Effects on these values expected to be manageable as the area is already modified with an existing port.</p>	<p>Applies</p> <p>Effects on these values expected to be manageable as the area is already modified with an existing port.</p>	<p>Applies</p> <p>Effects on these values expected to be manageable as the area is already modified with an existing port.</p>	<p>Applies</p> <p>The site for the reclaimed port has open seascape values with an absence of structures.</p> <p>Significant effects on these values will be difficult to avoid in this location and will likely be difficult to consent.</p>	<p>Applies</p> <p>This site is relatively natural. Marine farms are existing and consented in this area, which reduces the naturalness to some degree. Even so, demonstrating that port development could avoid significant effects on the natural seascape values will present a significant challenge, albeit the challenge may be slightly less than at Kawakawa Bay.</p>	<p>Applies</p> <p>The site for the reclaimed port has open seascape values with an absence of structures. The adjacent coastline to the north is also relatively natural and undeveloped.</p> <p>Significant effects on these values will be difficult to avoid in this location and will likely be very difficult to consent.</p>	<p>Applies</p> <p>Landscape qualities of the site are likely to be compromised by the presence of existing modified landscapes (e.g. Auckland Airport). Managing the adverse effects on natural character and landscape values of this seascape will still present challenges, albeit less than the Central Manukau, Waimango Point and Kawakawa Bay sites.</p>	<p>Applies</p> <p>Landscape qualities of the site are likely to be compromised by the presence of existing modified landscapes (e.g. Auckland Airport). Managing the adverse effects on natural character and landscape values of this seascape will still present challenges, albeit less than the Central Manukau, Waimango Point and Kawakawa Bay sites.</p>	Not applicable

Key Consenting Issues	Ports of Auckland Extension	Northport Extension	Port of Tauranga Extension	Kawakawa Bay Island Port	Waimango Point Island Port	Central Manukau Island Port	Puhinui Island Port	Hikihiki Island Port	Kumeu Inland Port
<p>Located within / will have an impact upon Significant Ecological Areas</p> <p><i>General policy directive: Avoid effects on threatened or at-risk indigenous species and ecosystems; Avoid significant effects on areas of predominantly indigenous vegetation in the coastal environment</i></p>	<p>Applies</p> <p>Site-specific analysis of the ecological values at the site and how a port extension would impact on these values is required. It is anticipated that effects on ecological values can be managed at this site.</p>	<p>Applies</p> <p>Site specific analysis of the ecological values at the site and how a port extension would impact on these values is required. It is anticipated that effects on ecological values can be managed at this site.</p>	<p>Likely not applicable</p> <p>The areas proposed for expansion of port activities are not located in any identified significant ecological areas. A fine grained analysis of the specific biodiversity values likely to be impacted by this proposal will still be required.</p>	<p>Applies</p> <p>The coastline has areas of significant ecological value. It is unlikely that the proposed bridges could avoid these areas.</p> <p>Site specific analysis will be required to determine whether effects on these values will be consentable.</p>	<p>Applies</p> <p>The identified significant ecological areas do not cover the entire site - it may be possible to locate the port and bridges outside of these areas.</p> <p>Site specific analysis will be required to determine whether effects on these values will be consentable.</p>	<p>Applies</p> <p>The vast majority of the site has values relating to indigenous species and migratory birds. It is unlikely that the reclaimed island and associated causeway can avoid effects on this area.</p> <p>Site specific analysis will be required to determine whether effects on these values will be consentable.</p>	<p>Applies</p> <p>The intertidal banks at the site are of ecological significance and support some of the most diverse and abundant intertidal sand flat organisms in the Manukau Harbour.</p> <p>Wider site also holds significant value for both its terrestrial and marine ecology and wetlands.</p> <p>Site specific analysis will be required to determine whether effects on these values will be consentable.</p>	<p>Applies</p> <p>The intertidal banks at the site are of ecological significance and support some of the most diverse and abundant intertidal sand flat organisms in the Harbour.</p> <p>A site specific analysis of the ecological values of the site is required to identify whether the effects of the port are consentable.</p>	<p>Not applicable</p>
<p>Mana Whenua Values</p>	<p>Located within a Statutory Acknowledgement Area.</p> <p>Subject to applications under the MACA Act.</p> <p>Collaborating with Mana Whenua will be necessary to understand potential effects and establish design / mitigation strategies.</p>	<p>Mana Whenua have strong associations with Whangārei Harbour.</p> <p>Subject to applications under the MACA Act.</p> <p>Collaborating with Mana Whenua will be necessary to understand potential effects and establish design / mitigation strategies.</p>	<p>Mana Whenua have a recognised relationship with Tauranga Harbour.</p> <p>Subject to applications under the MACA Act.</p> <p>Collaborating with Mana Whenua will be necessary to understand potential effects and establish design / mitigation strategies.</p>	<p>Located within a Statutory Acknowledgement Area.</p> <p>Subject to applications under the MACA Act.</p> <p>Collaborating with Mana Whenua will be necessary to understand potential effects and establish design / mitigation strategies.</p>	<p>A site of significance to Mana Whenua is located at Waimango Point. Works should avoid encroaching on this site.</p> <p>Subject to applications under the MACA Act.</p> <p>Located within a Statutory Acknowledgement Area.</p> <p>Collaborating with Mana Whenua will be necessary to understand potential effects and establish design / mitigation strategies.</p>	<p>Located within a Statutory Acknowledgement Area.</p> <p>Subject to applications under the MACA Act.</p> <p>Collaborating with Mana Whenua will be necessary to understand potential effects and establish design / mitigation strategies.</p>	<p>A site of significance to Mana Whenua is located within the wider site, where causeway connections may be made. Works should avoid encroaching on this site.</p> <p>Located within a Statutory Acknowledgement Area.</p> <p>Subject to applications under the MACA Act.</p> <p>Collaborating with Mana Whenua will be necessary to understand potential effects and establish design / mitigation strategies.</p>	<p>Located within a Statutory Acknowledgement Area.</p> <p>Subject to applications under the MACA Act.</p> <p>Collaborating with Mana Whenua will be necessary to understand potential effects and establish design / mitigation strategies.</p>	<p>Located within a Statutory Acknowledgement Area.</p> <p>Particular care will be required around the management of any effects on fresh water.</p>

Key Consenting Issues	Ports of Auckland Extension	Northport Extension	Port of Tauranga Extension	Kawakawa Bay Island Port	Waimango Point Island Port	Central Manukau Island Port	Puhinui Island Port	Hikihiki Island Port	Kumeu Inland Port
Other Values / Matters	<p>Amenity issues will need particular consideration given social campaigns against recent initiatives at the Ports of Auckland.</p> <p>Height restrictions due to viewshafts will need to be considered, however the effects on amenity values are likely to be manageable.</p>	Noise and amenity issues with nearby sensitive receivers will need to be considered.	<p>Height restrictions apply due to the proximity of Tauranga Airport - may constrain development potential.</p> <p>Noise and amenity issues with nearby sensitive receivers will need to be considered.</p>	Identified Significant Surf Break – activities (i.e. disposal of dredged material / breakwaters) must not result in adverse effects on the surf break.	Identified Significant Surf Break – activities (i.e. disposal of dredged material) must not result in adverse effects on the surf break.		Height restrictions apply due to the proximity of Auckland Airport - may constrain development potential.	Height restrictions apply due to the proximity of Auckland Airport - may constrain development potential.	
Expected Activity Status	<p>Restricted Discretionary or Discretionary for consents in the coastal marine area.</p> <p>Permitted or Discretionary for land-based activities.</p>	<p>Non-Complying for consents in the coastal marine area.</p> <p>Permitted or Discretionary for land-based activities.</p>	<p>Discretionary for consents in the coastal marine area.</p> <p>Predominantly Discretionary for land-based activities.</p>	Non-Complying for consents in the coastal marine area.	Non-Complying for consents in the coastal marine area, however if the works can occur without encroaching the identified natural character, landscape and ecological areas, outstanding landscape and ecological areas, the activity status is expected to be Discretionary.	Non-Complying for consents in the coastal marine area.	Non-Complying for consents in the coastal marine area.	Non-Complying for consents in the coastal marine area.	Non-complying for land-based activities but should be permitted as a plan change.

## **14. ESTIMATED TIMEFRAMES OF RMA APPROVAL AND COSTS**

### **TIMEFRAMES FOR RMA PROCESSES**

14.1 In terms of timeframes, under the RMA there are three options available in respect of how an RMA approval for a nationally significant port can be processed. These are:

- The local process - processing by the relevant Regional / District Council (or in the case of Auckland, the Auckland Council);
- Call-in process; and
- Streamline Planning Process.

14.2 An overview of each of these processing options is provided below.

#### **The Local Process**

14.3 The 'local process' requires all applications to be lodged with the relevant Council. This process would entail public notification, a hearing, and decision making by a person or panel selected by the local authority.

14.4 Decisions made under a 'local process' may be appealed to the Environment Court, by the person who made the request, or by any person who made a submission on the applications. The timetable for the hearing of appeals will be set by the Court.

14.5 It is estimated that following the local process for a plan change, followed by regional and district level resource consent applications, would take approximately one year from lodgment of the applications to a decision being made.

#### **Call-In Process**

14.6 The Minister for the Environment may 'call-in' the decision-making process for applications which relate to a 'proposal of national significance'. When deciding whether or not a matter is or is not part of a matter of national significance, the Minister may have regard to any relevant factor, including advice provided by the Environmental Protection Authority ("EPA") and whether the matter:

- Has aroused widespread public concern or interest regarding its actual or likely environmental effects;
- Involves or is likely to involve the significant use of natural and physical resources;
- Affects or is likely to affect a structure, feature, place or area of national significance;
- Affects or is relevant to New Zealand's international obligations to the global environment;
- Contributes to significant or irreversible changes to the environment;

- Involves technology, processes or methods which are new to New Zealand and that may affect its environment;
  - Is significant in terms of the Treaty of Waitangi;
  - Affects or is likely to affect more than one region or district; or,
  - Relates to a network utility operation that extends or is proposed to extend to more than one district or region.
- 14.7 It is expected that this project would qualify as a proposal of national significance. Therefore, there is an opportunity to have the application ‘called in’, instead of adhering to the local authority processing procedures set out in the Act.
- 14.8 The full process for a ‘call-in’ application would be managed by the EPA rather than the local council. The public notification process would mirror the local process; however, the application(s) would be heard by a Board of Inquiry (the Board). Under these circumstances, the Board has around nine months<sup>240</sup> from the date of public notification of the applications in which to make a decision.
- 14.9 With regard to the Board’s decision, the only place for appeal would be to the High Court, on points of law only.
- 14.10 It is estimated that a ‘call in’ process for a plan change processes concurrently with resource consent applications would take approximately one year (noting that the EPA has nine months to make a decision following notification).

### **Streamline Planning Process**

- 14.11 The Streamline Planning Process (“SPP”) is intended to provide greater flexibility in planning processes and timeframes to address urgent resource management issues. The SPP is a tool open to Regional and District Councils to streamline the process and timeframes for any planning process, including resource consents and plan changes. Before making an application to the Minister for the Environment (the Minister) to use a SPP, the Council must first be satisfied that the proposal meets at least one of the following criteria:
- It will implement a national direction;
  - It is urgent as a matter of public policy;
  - It is required to meet a significant community need;
  - It raises an issue that has unintended consequences; or

---

<sup>240</sup> This can be extended in certain circumstances and can be affected by “non-working days” such as the period over Christmas/New Year.

- It is required expeditiously in any of the circumstances comparable to, or relevant to, those already set out.
- 14.12 If the Council determines that the proposal achieves at least one of the above and warrants the use of a streamlined process, an application can be made to the Minister for a direction to use the SPP.
- 14.13 The Minister will consider the Council's application and either decline the request or give a direction that the Council use the SPP and the process that must be followed.
- 14.14 The Council must then process the application in accordance with the process that has been set out in the Minister's direction.
- 14.15 Under the SPP, the Minister is the ultimate "decision maker" and decides whether to approve the application, refer it back to the Council for reconsideration (with or without any recommended changes), or to decline the application in its entirety. The Minister's decision is "final", with rights of appeal being restricted to jurisdictional matters to the High Court.
- 14.16 Timeframes for the processing of applications under this process are determined on a case-by-case basis.

#### **TIMEFRAMES AND COSTS FOR EACH SITE OPTION**

- 14.17 Table 2 includes a high-level estimation of the likely timeframes to consent the Port development at each of the sites, and a guide to the costs associated with this process. These estimations are based on the RMA approvals processes for similar large-scale infrastructure projects. The timeframes are high level, and assume that the plan change and resource consent applications will be prepared and processed concurrently.<sup>241</sup>
- 14.18 The timeframes for any High Court, Court of Appeal and Supreme Court process are difficult to estimate and will depend on the circumstances of the case. A relatively streamlined pathway through the High Court could take approximately one year, whereas if the case is referred back to a lower order Court to revisit an earlier decision, this process could take two to three years.
- 14.19 The estimation of the costs (also in Table 2) for the RMA approval process includes:
- Input into the design process by planners and technical experts who will be preparing assessments of effects;
  - Preparation of assessments of effects by technical experts, such as benthic, marine biologists and terrestrial ecologists, coastal processes experts, acoustic engineers,

---

<sup>241</sup> For any extensions to the existing ports, a joint application could be made to both the district and regional councils.



transportation engineers, landscape architects, cultural advisers, archaeologists, geologists, economists etc;

- Preparation of the resource consent and plan change applications;
- Council/EPA processing, including notification, hearing and decision;
- Applicant's costs for the hearing;
- Applicant's costs associated with an Environment Court appeal; and
- Applicant's costs associated with a High Court (or other Court) appeal.

14.20 The costs for each project will generally be greater in the first three – five years, as expenditure associated with detailed design, consultation, option evaluation, the preparation of technical assessments and hearings will likely occur within this period. The expenditure in later years, whilst still significant, will be more likely linked to legal / appeal costs.

Table 3: RMA Approvals Process Timeframes and Costs Approximations

Timeframes / Costs	Design Phase - Design of Port Undertaken	Lead-in Time to Lodgement - preparing applications	Council / EPA - processing, notification and hearing	Environmental Court Appeal	High Court Appeal and Higher Order Courts	Total Timeframe Estimate	Approximate Costs (Refer comments above for a description of the tasks included here.)
<b>Northport Extension</b>  Regional and district resource consents and plan change for noise matters.	Design the port infrastructure extension and any road and rail upgrades:  At least 12 months.	Preparation of technical assessments to inform the assessment of environmental effects; undertake consultation and stakeholder engagement; prepare applications and lodge:  At least 9 months	Council / EPA processing, addressing further information requests, public notification, prepare for and attend hearing and decision issued:  12 months	Any Environment Court appeal process:  1 to 1 ½ years  Note that if the decision is made by the EPA there is no avenue to appeal the decision to the Environment Court.	The length of time which the approval process could be in the Court process following a decision of the Environment Court or EPA depends upon the legal avenue employed, the outcomes of each process, and whether or not the case is referred back to lower order courts. Assume time to navigate these processes to be 2 – 3 years.	5 - 8 years	\$3,000,000 to \$6,000,000
<b>Port of Tauranga Extension</b>  Plan change to rezone adjoining land to a port zone (District Plan) and regional and district resource consents.							
<b>Ports of Auckland</b>  Regional and district resource consents	Design the port infrastructure extension:  At least 12 months.	Preparation of technical assessments to inform the assessment of environmental effects; undertake consultation and stakeholder engagement; prepare applications and lodge:  At least 9 months	Council / EPA processing, addressing further information requests, public notification, prepare for and attend hearing and decision issued:  12 months	Any Environment Court appeal process:  1 to 2 years  Note that if the decision is made by the EPA there is no avenue to appeal the decision to the Environment Court.  Note a longer appeal process has been identified for this site due to likelihood that this proposal will draw significant public interest.	The length of time which the approval process could be in the Court process following a decision of the Environment Court or EPA depends upon the legal avenue employed, the outcomes of each process, and whether or not the case is referred back to lower order courts. Assume time to navigate these processes to be 2 – 3 years.	5 - 8 years	\$3,000,000 to \$5,000,000
<b>Kawakawa Bay Island Port</b>  Consenting not expected to be viable without legislative change. If pursued, would involve rezoning land and coastal marine area to a port zone and obtaining resource consents.	Design the port infrastructure and any road and rail upgrades:  At least 3 years	Preparation of technical assessments to inform the assessment of environmental effects; undertake consultation and stakeholder engagement; prepare applications and lodge:  At least 18 months	Council / EPA processing, addressing further information requests, public notification, prepare for and attend hearing and decision issued:  18 months	Any Environment Court appeal process:  1 to 2 years  Note that if the decision is made by the EPA there is no avenue to appeal the decision to the Environment Court.	The length of time which the approval process could be in the Court process following a decision of the Environment Court or EPA depends upon the legal avenue employed, the outcomes of each process, and whether or not the case is referred back to lower order courts. Assume time to navigate these processes to be 2 – 3 years.	8– 10 years	\$7,000,000 to \$8,000,000
<b>Waimango Point Island Port</b>  Further work required to determine if this site is viable. If pursued, would involve rezoning land and coastal marine area to a port zone and obtaining resource consents.							

Timeframes / Costs	Design Phase - Design of Port Undertaken	Lead-in Time to Lodgement - preparing applications	Council / EPA - processing, notification and hearing	Environmental Court Appeal	High Court Appeal and Higher Order Courts	Total Timeframe Estimate	Approximate Costs (Refer comments above for a description of the tasks included here.)
<b>Central Manukau Island Port</b> Consenting not expected to be viable without legislative change. If pursued, would involve rezoning land and coastal marine area to a port zone and obtaining resource consents.	Design the port infrastructure and any road and rail upgrades:  At least 3 years	Preparation of technical assessments to inform the assessment of environmental effects; undertake consultation and stakeholder engagement; prepare applications and lodge:  At least 18 months	Council / EPA processing, addressing further information requests, public notification, prepare for and attend hearing and decision issued:  18 months	Any Environment Court appeal process:  1-2 years  Note that if the decision is made by the EPA there is no avenue to appeal the decision to the Environment Court.	The length of time which the approval process could be in the Court process following a decision of the Environment Court or EPA depends upon the legal avenue employed, the outcomes of each process, and whether or not the case is referred back to lower order courts. Assume time to navigate these processes to be 2 – 3 years.	7– 9 years	\$7,000,000 to \$8,000,000
<b>Puhinui Island Port</b> Site may not be viable. If pursued, would involve rezoning land and coastal marine area to a port zone and obtaining resource consents.							
<b>Hikihiki Island Port</b> Site may not be viable. If pursued, would involve rezoning land and coastal marine area to a port zone and obtaining resource consents.							
<b>Kumeu Inland Port</b> Plan change to rezone land for inland port and obtaining resource consents.	Design the port infrastructure, and any road and rail upgrades:  At least 2 years	Preparation of technical assessments to inform the assessment of environmental effects; undertake consultation and stakeholder engagement; prepare applications and lodge:  At least 9 months	Council / EPA processing, addressing further information requests, public notification, prepare for and attend hearing and decision issued:  12 months	Any Environment Court appeal process:  1 to 1 ½ years  Note that if the decision is made by the EPA there is no avenue to appeal the decision to the Environment Court.	The length of time which the approval process could be in the Court process following a decision of the Environment Court or EPA depends upon the legal avenue employed, the outcomes of each process, and whether or not the case is referred back to lower order courts. Assume time to navigate these processes to be 2 – 3 years.	5 - 7 years	\$2,000,000 to \$3,000,000

## **Part 3   Alternative Planning Solutions**

## 15. ALTERNATIVE PLANNING SOLUTIONS

- 15.1 This evaluation has identified some significant, if not insurmountable, challenges in obtaining the necessary RMA approvals for new port developments in the coastal environment. For the most part, these issues are the result of:
- The policy statement sitting at the top of the order, being the NZCPS, includes language that directs that adverse effects on certain environmental values is avoided; and
  - The Supreme Court’s decision that the use of terms such as “avoid” have an ordinary meaning of “not allow” or “prevent the occurrence of”<sup>242</sup> and do not allow for a broad overall judgement of both the positive and adverse effects when assessing the merits of an activity.<sup>243</sup>
- 15.2 The NZCPS does not replicate that directive policy language when it turns toward recognising and providing for the development of infrastructure such as port facilities. This means that the directive policies effectively trump the more generally expressed enabling policies that apply to such things as infrastructure and port development. Moreover, most greenfield sites in the coastal marine area are likely to exude significant natural, ecological and / or landscape values, meaning that their level of policy protection is elevated within the NZCPS. This effectively amounts to a policy underpinning of considerable disadvantage for the proponent of any new port infrastructure of scale within the coastal marine area.
- 15.3 In addition, port authorities are not able to designate land to enable the development and operation of port activities in district plans. This is somewhat at odds with the situation available for other operators of significant infrastructure, such as airports, network utilities, water utilities and state highways. This means that the proponents of new port infrastructure must rely on resource consents, which can be multifaceted and complex, and which rely on a high level of certainty at the outset as to what is to be built, in order to authorise the land use activities associated with ports.
- 15.4 The current proposition that freight activities might be relocated away from the Port of Auckland and replicated at another location is somewhat unprecedented in the RMA era. This analysis has revealed some of the challenges confronting a future applicant, if it is decided to pursue an alternative site to provide for port infrastructure, particularly where the preferred site falls within the coastal marine area. A number of mechanisms have been considered to assist in bridging the current lacuna. These mechanisms include:
- Allowing the new port sites to be designated in District Plans;

---

<sup>242</sup> Note that decision makes exceptions for minor or transitory effects, however the nature of effects likely to be generated by a new greenfield port development are assumed to extend beyond minor or transitory.

<sup>243</sup> *Environmental Defence Society Inc v The New Zealand King Salmon Co Ltd* [2014] 1 NZLR 593.

- Amending the NZCPS to be more enabling of new regionally or nationally significant port development and qualifying how the “avoid” policies relate to such infrastructure (i.e. by providing for some exceptions to the requirement to avoid adverse effects and / or significant adverse effects for nationally significant infrastructure); Enacting special legislation that establishes a bespoke planning approval process for new port development in an identified location.

## DESIGNATIONS

- 15.5 A designation is a form of ‘spot zoning’ over a site, area or route in a district plan. The designation authorises the requiring authority’s work and activity on the site, area or route without the need for land use consent from the relevant territorial authority.<sup>244</sup> A designation has a similar effect to a plan change establishing a permitted activity as it:
- identifies the land / water affected in the district plan;
  - enables a requiring authority to undertake the works within the designated area without the need for a land use consent; and
  - sets the parameters under which the activity can occur via a description of the activity that the designation provides for, and conditions, such as a height limit for structures.
- 15.6 Designations can only apply in district plans. In unitary plans, designations only apply to activities and structures managed by the district level provisions, and do not apply to matters managed by regional plans (such as discharges and coastal permits).
- 15.7 The RMA does not currently enable port operators or owners to be requiring authorities, meaning ports are not able to designate land for port purposes.
- 15.8 Designation would provide a useful land use planning tool for ports. Designations provide planning authorisation for public works and can be applied pre-emptively to protect land for future public works, to enable strategic planning for future infrastructure needs. Having the ability to designate land would enable a comprehensive approach to be taken to planning for a new port and the necessary landside infrastructure and associated transportation linkages required to connect it. A designation would also provide increased certainty for ports that development can occur within the parameters of the designation without the need for land use resource consents. However, even if a port was designated, regional resource consents would still be required for certain activities and structures within the coastal marine area (as only land can be designated, not the coastal marine area).

---

<sup>244</sup> s9(3) of the RMA does not apply to designations.

## **AMENDMENT TO THE NZCPS**

- 15.9 In the post *King Salmon* environment, the directive ‘avoid’ policies of the NZCPS, which are in turn given effect to via the provisions of the lower tier regional and district plans (and unitary plans), can comprise a significant hurdle for consenting infrastructure, including ports within the coastal marine area. This hurdle can be difficult, if not impossible, to pass, even where there are substantial public benefits that would accrue from the proposal. In effect, these benefits are trumped by the directive policies that apply to the protective paradigm to a variety of natural and ecological values.
- 15.10 In order to create a more balanced assessment environment, amendments to the NZCPS could be considered. These amendments could entail amending the NZCPS policies to be more enabling of new regionally or nationally significant port development, coupled with new clauses that qualify how the “avoid” policies are applied to port infrastructure developments (i.e. they don’t apply for specifically named infrastructure – as is proposed in the National Policy Statement for Freshwater Management) . The nature of such amendments would need to be carefully considered and there is a wide range of stakeholders with an interest in the NZCPS.
- 15.11 Again, it is acknowledged that any change to the NZCPS will require a comprehensive evaluation of the benefits and costs of the change, and consideration of the risks and unintended impacts of acting, or not acting.

## **SPECIAL LEGISLATION FOR PORT DEVELOPMENT**

- 15.12 If the only practicable option for the new port development is identified as being one of the new coastal port locations, enacting special legislation to provide for the port development could be considered.
- 15.13 The special legislation could establish a bespoke, one-off planning approval process for the new port development in an identified location. The special legislation would ideally override all other legislation that affects the planning authorisation process and provide a fast track process for obtaining the necessary authorisations for the development and its ongoing use. Once the necessary approvals are in place, the special legislation would terminate, then future works at the site would revert back to being governed by the relevant local authority and the district and regional / unitary plans.

## **16. CONCLUSIONS**

16.1 Based on the high level evaluation undertaken in this report, including the environmental values associated within each site and the interplay of the relevant national, regional and district planning documents:

### **Existing Ports**

- The Ports of Auckland and Northport are considered to present viable options for expansion / enhancements of port facilities, subject to the management of potential effects on the environment.
- The Port of Tauranga, and more specifically, Sulphur Point, is considered to present a potentially viable option for expansion of port facilities, with potential height imitations arising from Airport Slope Surfaces and viewshafts.

### **Fifth of Thames Sites**

- It is considered that obtaining the necessary resource consents to establish and operate a new port at the Kawakawa Bay site is unlikely to be viable. Given the clear direction within the provisions of the AUP (which give effect to Policies 11, 13 and 15 of the NZCPS) to avoid all effects on outstanding natural landscapes and features and to avoid significant adverse effects on high natural character areas and indigenous biodiversity and other seascapes, it is considered likely that designing a consentable option will be very difficult.
- While the Waimango Point site may be able to be designed and sited so as to avoid areas of particular significance, the effects that emanate from construction and subsequent modification to the coastal marine area are likely to be sufficiently adverse to independently challenge parts of the AUP policies. More detailed work on construction methodology and specific mitigation strategies to address such issues may assist to ameliorate these policy concerns.

### **Manukau Harbour Sites**

- When compared to other alternative greenfield sites, the Manukau Harbour sites have relatively fewer identified significant ecological and outstanding landscape and natural character values to contend with.
- Notwithstanding this, it is considered that obtaining the necessary resource consents to establish and operate a new port in Central Manukau Harbour will present considerable challenges. Similar to the Kawakawa Bay site, given the clear direction within the provisions of the AUP to avoid significant adverse effects on indigenous biodiversity and other seascapes, it is considered likely that this option will be difficult to consent primarily due to its natural seascape values.



- The Puhinui and Hikihiki sites are surrounded by areas of broadly defined significant marine and terrestrial ecology, areas of outstanding natural character and areas of significant value to mana whenua. Similar to the Kawakawa Bay site, given the clear direction within the AUP to avoid all effects on outstanding natural character and landscapes and to avoid significant adverse effects on indigenous biodiversity and other seascapes, it is considered likely that these options will be difficult to consent. If it proves viable to site and design the ports to avoid identified significant natural character and landscape areas, the prospect of consents being obtainable is improved. This will require some finer grained analysis of these values should one of these site options be pursued further.

#### **Kumeu Inland Port**

- Based on the absence of any significant ecological, landscape or character values in this area, the consenting challenges for an inland port at Kumeu are significantly lower than the coastal based options identified elsewhere in the Auckland Region. While the RMA approval phase of such a development will not be without its challenges, with well-considered site configuration and mitigation techniques, these could be overcome.

## **Appendix A**

### New Zealand Coastal Policy Statement Provisions

# New Zealand Coastal Policy Statement

## **Objective 1**

*To safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems, including marine and intertidal areas, estuaries, dunes and land, by:*

- *maintaining or enhancing natural biological and physical processes in the coastal environment and recognising their dynamic, complex and interdependent nature;*
- *protecting representative or significant natural ecosystems and sites of biological importance and maintaining the diversity of New Zealand's indigenous coastal flora and fauna; and*
- *maintaining coastal water quality, and enhancing it where it has deteriorated from what would otherwise be its natural condition, with significant adverse effects on ecology and habitat, because of discharges associated with human activity.*

## **Objective 2**

*To preserve the natural character of the coastal environment and protect natural features and landscape values through:*

- *recognising the characteristics and qualities that contribute to natural character, natural features and landscape values and their location and distribution;*
- *identifying those areas where various forms of subdivision, use, and development would be inappropriate and protecting them from such activities; and*
- *encouraging restoration of the coastal environment.*

Relevant to areas in Natural character overlays

## **Objective 3**

*To take account of the principles of the Treaty of Waitangi, recognise the role of tangata whenua as kaitiaki and provide for tangata whenua involvement in management of the coastal environment by:*

- *recognising the ongoing and enduring relationship of tangata whenua over their lands, rohe and resources;*
- *promoting meaningful relationships and interactions between tangata whenua and persons exercising functions and powers under the Act;*
- *incorporating mātauranga Māori into sustainable management practices; and*
- *recognising and protecting characteristics of the coastal environment that are of special value to tangata whenua.*

## **Objective 4**

*To maintain and enhance the public open space qualities and recreation opportunities of the coastal environment by:*

- *recognising that the coastal marine area is an extensive area of public space for the public to use and enjoy;*
- *maintaining and enhancing public walking access to and along the coastal marine area without charge, and where there are exceptional reasons that mean this is not practicable providing alternative linking access close to the coastal marine area; and*

- *recognising the potential for coastal processes, including those likely to be affected by climate change, to restrict access to the coastal environment and the need to ensure that public access is maintained even when the coastal marine area advances inland.*

## **Objective 6**

*To enable people and communities to provide for their social, economic, and cultural wellbeing and their health and safety, through subdivision, use, and development, recognising that:*

- *the protection of the values of the coastal environment does not preclude use and development in appropriate places and forms, and within appropriate limits;*
- *some uses and developments which depend upon the use of natural and physical resources in the coastal environment are important to the social, economic and cultural wellbeing of people and communities;*
- *functionally some uses and developments can only be located on the coast or in the coastal marine area;*
- *the coastal environment contains renewable energy resources of significant value;*
- *the protection of habitats of living marine resources contributes to the social, economic and cultural wellbeing of people and communities;*
- *the potential to protect, use, and develop natural and physical resources in the coastal marine area should not be compromised by activities on land;*
- *the proportion of the coastal marine area under any formal protection is small and therefore management under the Act is an important means by which the natural resources of the coastal marine area can be protected; and*
- *historic heritage in the coastal environment is extensive but not fully known, and vulnerable to loss or damage from inappropriate subdivision, use, and development.*

## **Policies**

### **Policy 1: Extent and characteristics of the coastal environment**

1. *Recognise that the extent and characteristics of the coastal environment vary from region to region and locality to locality; and the issues that arise may have different effects in different localities.*
2. *Recognise that the coastal environment includes:*
  - a. *the coastal marine area;*
  - b. *islands within the coastal marine area;*
  - c. *areas where coastal processes, influences or qualities are significant, including coastal lakes, lagoons, tidal estuaries, saltmarshes, coastal wetlands, and the margins of these;*
  - d. *areas at risk from coastal hazards;*
  - e. *coastal vegetation and the habitat of indigenous coastal species including migratory birds;*
  - f. *elements and features that contribute to the natural character, landscape, visual qualities or amenity values;*
  - g. *items of cultural and historic heritage in the coastal marine area or on the coast;*
  - h. *inter-related coastal marine and terrestrial systems, including the intertidal zone; and*
  - i. *physical resources and built facilities, including infrastructure, that have modified the coastal environment.*

### **Policy 2: The Treaty of Waitangi, tangata whenua and Māori**

*In taking account of the principles of the Treaty of Waitangi (Te Tiriti o Waitangi), and kaitiakitanga, in relation to the coastal environment:*

- a. *recognise that tangata whenua have traditional and continuing cultural relationships with areas of the coastal environment, including places where they have lived and fished for generations;*
- b. *involve iwi authorities or hapū on behalf of tangata whenua in the preparation of regional policy statements, and plans, by undertaking effective consultation with tangata whenua; with such consultation to be early, meaningful, and as far as practicable in accordance with tikanga Māori;*
- c. *with the consent of tangata whenua and as far as practicable in accordance with tikanga Māori, incorporate mātauranga Māori<sup>1</sup> in regional policy statements, in plans, and in the consideration of applications for resource consents, notices of requirement for designation and private plan changes;*
- d. *provide opportunities in appropriate circumstances for Māori involvement in decision making, for example when a consent application or notice of requirement is dealing with cultural localities or issues of cultural significance, and Māori experts, including pūkenga<sup>2</sup>, may have knowledge not otherwise available;*
- e. *take into account any relevant iwi resource management plan and any other relevant planning document recognised by the appropriate iwi authority or hapū and lodged with the council, to the extent that its content has a bearing on resource management issues in the region or district; and*
  - i. *where appropriate incorporate references to, or material from, iwi resource management plans in regional policy statements and in plans; and*
  - ii. *consider providing practical assistance to iwi or hapū who have indicated a wish to develop iwi resource management plans;*
- f. *provide for opportunities for tangata whenua to exercise kaitiakitanga over waters, forests, lands, and fisheries in the coastal environment through such measures as:*
  - i. *bringing cultural understanding to monitoring of natural resources;*
  - ii. *providing appropriate methods for the management, maintenance and protection of the taonga of tangata whenua;*
  - iii. *having regard to regulations, rules or bylaws relating to ensuring sustainability of fisheries resources such as taiāpure, mahinga mātaimai or other non-commercial Māori customary fishing;*
- g. *in consultation and collaboration with tangata whenua, working as far as practicable in accordance with tikanga Māori, and recognising that tangata whenua have the right to choose not to identify places or values of historic, cultural or spiritual significance or special value:*
  - i. *recognise the importance of Māori cultural and heritage values through such methods as historic heritage, landscape and cultural impact assessments; and*
  - ii. *provide for the identification, assessment, protection and management of areas or sites of significance or special value to Māori, including by historic analysis and archaeological survey and the development of methods such as alert layers and predictive methodologies for identifying areas of high potential for undiscovered Māori heritage, for example coastal pā or fishing villages.*

#### **Policy 6: Activities in the coastal environment**

1. *In relation to the coastal environment:*
  - a. *recognise that the provision of infrastructure, the supply and transport of energy including the generation and transmission of electricity, and the extraction of minerals are activities important to the social, economic and cultural well-being of people and communities;*
  - b. ***consider the rate at which built development and the associated public infrastructure should be enabled to provide for the reasonably foreseeable needs of population growth without compromising the other values of the coastal environment;***
  - c. *encourage the consolidation of existing coastal settlements and urban areas where this will contribute to the avoidance or mitigation of sprawling or sporadic patterns of settlement and urban growth;*

<sup>1</sup> Mātauranga Māori: as defined in the Glossary.

<sup>2</sup> Pūkenga: as defined in the Glossary.

- d. recognise tangata whenua needs for papakāinga<sup>3</sup>, marae and associated developments and make appropriate provision for them;
  - e. consider where and how built development on land should be controlled so that it does not compromise activities of national or regional importance that have a functional need to locate and operate in the coastal marine area;
  - f. consider where development that maintains the character of the existing built environment should be encouraged, and where development resulting in a change in character would be acceptable;
  - g. take into account the potential of renewable resources in the coastal environment, such as energy from wind, waves, currents and tides, to meet the reasonably foreseeable needs of future generations;
  - h. consider how adverse visual impacts of development can be avoided in areas sensitive to such effects, such as headlands and prominent ridgelines, and as far as practicable and reasonable apply controls or conditions to avoid those effects;
  - i. set back development from the coastal marine area and other water bodies, where practicable and reasonable, to protect the natural character, open space, public access and amenity values of the coastal environment; and
  - j. where appropriate, buffer areas and sites of significant indigenous biological diversity, or historic heritage value.
2. Additionally, in relation to the coastal marine area:
- a. **recognise potential contributions to the social, economic and cultural wellbeing of people and communities from use and development of the coastal marine area, including the potential for renewable marine energy to contribute to meeting the energy needs of future generations;**
  - b. recognise the need to maintain and enhance the public open space and recreation qualities and values of the coastal marine area;
  - c. **recognise that there are activities that have a functional need to be located in the coastal marine area, and provide for those activities in appropriate places;**
  - d. recognise that activities that do not have a functional need for location in the coastal marine area generally should not be located there; and
  - e. promote the efficient use of occupied space, including by:
    - i. requiring that structures be made available for public or multiple use wherever reasonable and practicable;
    - ii. requiring the removal of any abandoned or redundant structure that has no heritage, amenity or reuse value; and
    - iii. considering whether consent conditions should be applied to ensure that space occupied for an activity is used for that purpose effectively and without unreasonable delay.

## **Policy 7: Strategic Planning**

- 1. In preparing regional policy statements, and plans:
  - a. consider where, how and when to provide for future residential, rural residential, settlement, urban development and other activities in the coastal environment at a regional and district level; and
  - b. identify areas of the coastal environment where particular activities and forms of subdivision, use, and development:
    - i. are inappropriate; and
    - ii. may be inappropriate without the consideration of effects through a resource consent application, notice of requirement for designation or Schedule 1 of the Resource Management Act process; and provide protection from inappropriate subdivision, use, and development in these areas through objectives, policies and rules.

---

<sup>3</sup> Pūkenga: as defined in the Glossary.

2. *Identify in regional policy statements, and plans, coastal processes, resources or values that are under threat or at significant risk from adverse cumulative effects. Include provisions in plans to manage these effects. Where practicable, in plans, set thresholds (including zones, standards or targets), or specify acceptable limits to change, to assist in determining when activities causing adverse cumulative effects are to be avoided.*

#### **Policy 9: Ports**

*Recognise that a sustainable national transport system requires an efficient national network of safe ports, servicing national and international shipping, with efficient connections with other transport modes, including by:*

- a. *ensuring that development in the coastal environment does not adversely affect the efficient and safe operation of these ports, or their connections with other transport modes; and*
- b. *considering where, how and when to provide in regional policy statements and in plans for the efficient and safe operation of these ports, the development of their capacity for shipping, and their connections with other transport modes.*

#### **Policy 10: Reclamation and de-reclamation**

1. *Avoid reclamation of land in the coastal marine area, unless:*
  - a. *land outside the coastal marine area is not available for the proposed activity;*
  - b. *the activity which requires reclamation can only occur in or adjacent to the coastal marine area;*
  - c. *there are no practicable alternative methods of providing the activity; and*
  - d. *the reclamation will provide significant regional or national benefit.*
2. *Where a reclamation is considered to be a suitable use of the coastal marine area, in considering its form and design have particular regard to:*
  - a. *the potential effects on the site of climate change, including sea level rise, over no less than 100 years;*
  - b. *the shape of the reclamation and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast;*
  - c. *the use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area;*
  - d. *providing public access, including providing access to and along the coastal marine area at high tide where practicable, unless a restriction on public access is appropriate as provided for in Policy 19;*
  - e. *the ability to remedy or mitigate adverse effects on the coastal environment;*
  - f. *whether the proposed activity will affect cultural landscapes and sites of significance to tangata whenua; and*
  - g. *the ability to avoid consequential erosion and accretion, and other natural hazards.*
3. *In considering proposed reclamations, have particular regard to the extent to which the reclamation and intended purpose would provide for the efficient operation of infrastructure, including ports, airports, coastal roads, pipelines, electricity transmission, railways and ferry terminals, and of marinas and electricity generation.*
4. *De-reclamation of redundant reclaimed land is encouraged where it would:*
  - a. *restore the natural character and resources of the coastal marine area; and*
  - b. *provide for more public open space.*

#### **Policy 11: Indigenous biological diversity (biodiversity)**

*To protect indigenous biological diversity in the coastal environment:*

- a. **avoid adverse effects of activities on:**
  - i. indigenous taxa<sup>4</sup> that are listed as threatened<sup>5</sup> or at risk in the New Zealand Threat Classification System lists;
  - ii. taxa that are listed by the International Union for Conservation of Nature and Natural Resources as threatened;
  - iii. indigenous ecosystems and vegetation types that are threatened in the coastal environment, or are naturally rare<sup>6</sup>;
  - iv. habitats of indigenous species where the species are at the limit of their natural range, or are naturally rare;
  - v. areas containing nationally significant examples of indigenous community types; and
  - vi. areas set aside for full or partial protection of indigenous biological diversity under other legislation; and
- b. **avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on:**
  - i. areas of predominantly indigenous vegetation in the coastal environment;
  - ii. habitats in the coastal environment that are important during the vulnerable life stages of indigenous species;
  - iii. indigenous ecosystems and habitats that are only found in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;
  - iv. habitats of indigenous species in the coastal environment that are important for recreational, commercial, traditional or cultural purposes;
  - v. habitats, including areas and routes, important to migratory species; and
  - vi. ecological corridors, and areas important for linking or maintaining biological values identified under this policy.

### **Policy 13: Preservation of natural character**

1. To preserve the natural character of the coastal environment and to protect it from inappropriate subdivision, use, and development:
  - a. **avoid** adverse effects of activities on natural character in areas of the coastal environment with **outstanding natural character**; and
  - b. **avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment; including by:**
  - c. assessing the natural character of the coastal environment of the region or district, by mapping or otherwise identifying at least areas of high natural character; and
  - d. ensuring that regional policy statements, and plans, identify areas where preserving natural character requires objectives, policies and rules, and include those provisions.
2. Recognise that natural character is not the same as natural features and landscapes or amenity values and may include matters such as:
  - a. natural elements, processes and patterns;
  - b. biophysical, ecological, geological and geomorphological aspects;
  - c. natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;
  - d. the natural movement of water and sediment;
  - e. the natural darkness of the night sky;
  - f. places or areas that are wild or scenic;

---

<sup>4</sup> Taxa: as defined in the Glossary.

<sup>5</sup> Examples of taxa listed as threatened are: Maui's dolphin, Hector's dolphin, New Zealand Fairy tern, Southern New Zealand dotterel.

<sup>6</sup> Naturally rare: as defined in the Glossary.



- g. a range of natural character from pristine to modified; and
- h. experiential attributes, including the sounds and smell of the sea; and their context or setting

#### **Policy 15: Natural features and natural landscapes**

To protect the natural features and natural landscapes (including seascapes) of the coastal environment from inappropriate subdivision, use, and development:

- a. **avoid adverse effects of activities on outstanding natural features and outstanding natural landscapes in the coastal environment; and**
- b. **avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of activities on other natural features and natural landscapes in the coastal environment; including by:**
  - c. identifying and assessing the natural features and natural landscapes of the coastal environment of the region or district, at minimum by land typing, soil characterisation and landscape characterisation and having regard to:
    - i. natural science factors, including geological, topographical, ecological and dynamic components;
    - ii. the presence of water including in seas, lakes, rivers and streams;
    - iii. legibility or expressiveness – how obviously the feature or landscape demonstrates its formative processes;
    - iv. aesthetic values including memorability and naturalness;
    - v. vegetation (native and exotic);
    - vi. transient values, including presence of wildlife or other values at certain times of the day or year;
    - vii. whether the values are shared and recognised;
    - viii. cultural and spiritual values for tangata whenua, identified by working, as far as practicable, in accordance with tikanga Māori; including their expression as cultural landscapes and features;
    - ix. historical and heritage associations; and
    - x. wild or scenic values;
- d. ensuring that regional policy statements, and plans, map or otherwise identify areas where the protection of natural features and natural landscapes requires objectives, policies and rules; and
- e. including the objectives, policies and rules required by (d) in plans.

#### **Policy 16: Surf breaks of national significance**

Protect the surf breaks<sup>7</sup> of **national significance** for surfing listed in Schedule 1, by:

- a. ensuring that activities in the coastal environment do not adversely affect the surf breaks; and
- b. avoiding adverse effects of other activities on access to, and use and enjoyment of the surf breaks.

#### **Policy 17: Historic heritage identification and protection**

Protect historic heritage<sup>8</sup> in the coastal environment from inappropriate subdivision, use, and development by:

- a. identification, assessment and recording of historic heritage, including archaeological sites;
- b. providing for the integrated management of such sites in collaboration with relevant councils, heritage agencies, iwi authorities and kaitiaki;
- c. initiating assessment and management of historic heritage in the context of historic landscapes;
- d. recognising that heritage to be protected may need conservation;
- e. facilitating and integrating management of historic heritage that spans the line of mean high water springs;

<sup>7</sup> Surf break: as defined in the Glossary.

<sup>8</sup> Refer to definition in section 2 of the Act.

- f. *including policies, rules and other methods relating to (a) to (e) above in regional policy statements, and plans;*
- g. *imposing or reviewing conditions on resource consents and designations, including for the continuation of activities;*
- h. *requiring, where practicable, conservation conditions; and*
- i. *considering provision for methods that would enhance owners' opportunities for conservation of listed heritage structures, such as relief grants or rates relief.*

#### **Policy 19: Walking access**

...

- 3. *Only impose a restriction on public walking access to, along or adjacent to the coastal marine area where such a restriction is necessary:*
  - a. *to protect threatened indigenous species; or*
  - b. *to protect dunes, estuaries and other sensitive natural areas or habitats; or*
  - c. *to protect sites and activities of cultural value to Māori; or*
  - d. *to protect historic heritage; or*
  - e. to protect public health or safety; or**
  - f. *to avoid or reduce conflict between public uses of the coastal marine area and its margins; or*
  - g. *for temporary activities or special events; or*
  - h. *for defence purposes in accordance with the Defence Act 1990; or*
  - i. *to ensure a level of security consistent with the purpose of a resource consent; or*
  - j. *in other exceptional circumstances sufficient to justify the restriction.*
- 4. *Before imposing any restriction under (3), consider and where practicable provide for alternative routes that are available to the public free of charge at all times.*

#### **Policy 20: Vehicle Access**

...

- 2. *Identify the locations where vehicular access is required for boat launching, or as the only practicable means of access to private property or public facilities, or for the operation of **existing commercial activities**, and make appropriate provision for such access*

## **Appendix B**

### Summary of Relevant Planning Provisions

## Appendix B

The key provisions that relate to each site have been identified with each of the relevant regional and district planning documents.

Where the provisions are direct and likely to have a bearing on the outcome of any resource consent process, these are highlighted in green.

<b>Index</b>	<b>Page</b>
Northland Regional Policy Statement	1
Northland Proposed Regional Plan	9
Bay of Plenty Regional Policy Statement	21
Bay of Plenty Regional Coastal Plan	35
Tauranga City Plan	53
Auckland Regional Policy Statement	60
Auckland Unitary Plan	101
Auckland Unitary Plan (Ports of Auckland site only)	194
Auckland Unitary Plan (Kumeu site only)	198

## **Appendix B1**

### Northland Regional Policy Statement

## Northland Regional Policy Statement Provisions

Green shading within the table indicates a directive provision that may present a consenting challenge.

Part 3: Objectives		Northport
<b>Objective 3.4</b>	<p>3.4 Indigenous ecosystems and biodiversity.</p> <p>Safeguard Northland's ecological integrity by:</p> <ul style="list-style-type: none"> <li>a) Protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna;</li> <li>b) Maintaining the extent and diversity of indigenous ecosystems and habitats in the region; and</li> <li>c) Where practicable, enhancing indigenous ecosystems and habitats, particularly where this contributes to the reduction in the overall threat status of regionally and nationally threatened species.</li> </ul>	<b>X</b>
<b>Objective 3.5</b>	<p>3.5 Enabling economic wellbeing.</p> <p>Northland's natural and physical resources are sustainably managed in a way that is attractive for business and investment that will improve the economic wellbeing of Northland and its communities.</p>	<b>X</b>
<b>Objective 3.6</b>	<p>3.6 Economic activities – reverse sensitivity and sterilisation.</p> <p>The viability of land and activities important for Northland's economy is protected from the negative impacts of new subdivision, use and development, with particular emphasis on either:</p> <ul style="list-style-type: none"> <li>(a) Reverse sensitivity for existing: <ul style="list-style-type: none"> <li>(i) Primary production activities;</li> <li>(ii) Industrial and commercial activities;</li> <li>(iii) Mining*; or</li> <li>(iv) Existing and planned regionally significant infrastructure; or</li> </ul> </li> <li>(b) Sterilisation of: <ul style="list-style-type: none"> <li>(i) Land with regionally significant mineral resources; or</li> <li>(ii) Land which is likely to be used for regionally significant infrastructure.</li> </ul> </li> </ul> <p>* Includes aggregates and other minerals.</p>	<b>X</b>
<b>Objective 3.7</b>	<p>3.7 Regionally significant infrastructure.</p> <p>Recognise and promote the benefits of regionally significant infrastructure, (a physical resource), which through its use of natural and physical resources can significantly enhance Northland's economic, cultural, environmental and social wellbeing.</p>	<b>X</b>
<b>Objective 3.8</b>	<p>3.8 Efficient and effective infrastructure.</p> <p>Manage resource use to:</p>	<b>X</b>

- (a) Optimise the use of existing infrastructure;
- (b) Ensure new infrastructure is flexible, adaptable, and resilient, and meets the reasonably foreseeable needs of the community; and
- (c) Strategically enable infrastructure to lead or support regional economic development and community wellbeing.

<b>Objective 3.12</b>	3.12 Tangata whenua role in decision-making.  Tangata whenua kaitiaki role is recognised and provided for in decision-making over natural and physical resources.	<b>X</b>
-----------------------	---	----------

<b>Objective 3.14</b>	3.1.4 Natural character, outstanding natural features, outstanding natural landscapes and historic heritage.  Identify and protect from inappropriate subdivision, use and development;  (a) The qualities and characteristics that make up the natural character of the coastal environment, and the natural character of freshwater bodies and their margins;  (b) The qualities and characteristics that make up outstanding natural features and outstanding natural landscapes;  (c) The integrity of historic heritage.	<b>X</b>
-----------------------	---	----------

<b>4.4.1 Policy</b>	4.4.1 Policy – Maintaining and protecting significant ecological areas and habitats.  (1) In the coastal environment, avoid adverse effects, and outside the coastal environment avoid, remedy or mitigate adverse effects of subdivision, use and development so they are no more than minor on:  (a) Indigenous taxa that are listed as threatened or at risk in the New Zealand Threat Classification System lists;  (b) Areas of indigenous vegetation and habitats of indigenous fauna, that are significant using the assessment criteria in Appendix 5;  (c) Areas set aside for full or partial protection of indigenous biodiversity under other legislation.  (2) In the coastal environment, avoid significant adverse effects and avoid, remedy, or mitigate other adverse effects of subdivision, use and development on:  (a) Areas of predominantly indigenous vegetation;  (b) Habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes;  (c) Indigenous ecosystems and habitats that are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass, northern wet heathlands, coastal and headwater streams, floodplains, margins of the coastal marine area and freshwater bodies, spawning and nursery areas and saltmarsh.  (3)...Outside the coastal environment and where clause (1) does not apply, avoid, remedy or mitigate adverse effects of subdivision, use and development so they are not significant on any of the following:	<b>X</b>
---------------------	---	----------

	<ul style="list-style-type: none"> <li>(a) Areas of predominantly indigenous vegetation;</li> <li>(b) Habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes;</li> <li>(c) Indigenous ecosystems and habitats that are particularly vulnerable to modification, including wetlands, dunelands, northern wet heathlands, headwater streams, floodplains and margins of freshwater bodies, spawning and nursery areas.</li> </ul> <p>(4) For the purposes of clause (1), (2) and (3), when considering whether there are any adverse effects and/or any significant adverse effects:</p> <ul style="list-style-type: none"> <li>(a) Recognise that a minor or transitory effect may not be an adverse effect; Regional Policy Statement for Northland Page 68 of 178;</li> <li>(b) Recognise that where the effects are or maybe irreversible, then they are likely to be more than minor;</li> <li>(c) Recognise that there may be more than minor cumulative effects from minor or transitory effects.</li> </ul> <p>(5) For the purpose of clause (3) if adverse effects cannot be reasonably avoided, remedied or mitigated then it maybe appropriate to consider the next steps in the mitigation hierarchy i.e. biodiversity offsetting followed by environmental biodiversity compensation, as methods to achieve Objective 3.4.</p>	
<b>4.5.1 Policy</b>	<p>4.5.1 Policy – Identification of the coastal environment, outstanding natural features and outstanding natural landscapes and high and outstanding natural character.</p> <p>The areas identified in the Regional Policy Statement - Maps will form Northland's:</p> <ul style="list-style-type: none"> <li>(a) Coastal environment;</li> <li>(b) High and outstanding natural character areas within the coastal environment (except where the coastal marine area beyond harbours / estuaries remain unclassified); and</li> <li>(c) Outstanding natural features and outstanding natural landscapes.</li> </ul> <p>Where following further detailed assessment, an area in the Regional Policy Statement – Maps has been amended in accordance with Method 4.5.4, and the amended area is operative in the relevant district or regional plan, it shall supersede the relevant area in the Regional Policy Statement – Maps.</p>	<b>X</b>
<b>4.5.2 Policy</b>	<p>4.5.2 Policy – Application of the Regional Policy Statement – Maps.</p> <p>The Regional Policy Statement Maps of high and outstanding natural character and outstanding natural features and outstanding natural landscapes identify areas that are sensitive to subdivision, use and development. The maps of these areas identify where caution is required to ensure activities are appropriate. However, suitably qualified assessment at a site or property-specific level can be used to demonstrate lesser (or greater) sensitivity to particular subdivision, use and development proposals given the greater resolution provided.</p>	<b>X</b>



**4.6.1 Policy**

4.6.1 Policy – Managing effects on the characteristics and qualities natural character, natural features and landscapes.

**X**

- (1) In the coastal environment:
- a) Avoid adverse effects of subdivision use, and development on the characteristics and qualities which make up the outstanding values of areas of outstanding natural character, outstanding natural features and outstanding natural landscapes.
  - b) Where (a) does not apply, avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of subdivision, use and development on natural character, natural features and natural landscapes. Methods which may achieve this include:
    - (i) Ensuring the location, intensity, scale and form of subdivision and built development is appropriate having regard to natural elements, landforms and processes, including vegetation patterns, ridgelines, headlands, peninsulas, dune systems, reefs and freshwater bodies and their margins; and
    - (ii) In areas of high natural character, minimising to the extent practicable indigenous vegetation clearance and modification (including earthworks / disturbance, structures, discharges and extraction of water) to natural wetlands, the beds of lakes, rivers and the coastal marine area and their margins; and
    - (iii) Encouraging any new subdivision and built development to consolidate within and around existing settlements or where natural character and landscape has already been compromised.
- (2) Outside the coastal environment avoid significant adverse effects and avoid, remedy or mitigate other adverse effects (including cumulative adverse effects) of subdivision, use and development on the characteristics and qualities of outstanding natural features and outstanding natural landscapes and the natural character of freshwater bodies. Methods which may achieve this include:
- a) In outstanding natural landscapes, requiring that the location and intensity of subdivision, use and built development is appropriate having regard to, natural elements, landforms and processes, including vegetation patterns, ridgelines and freshwater bodies and their margins;
  - b) In outstanding natural features, requiring that the scale and intensity of earthworks and built development is appropriate taking into account the scale, form and vulnerability to modification of the feature; Regional Policy Statement for Northland Page 77 of 178
  - c) Minimising, indigenous vegetation clearance and modification (including earthworks / disturbance and structures) to natural wetlands, the beds of lakes, rivers and their margins.
- (3) When considering whether there are any adverse effects on the characteristics and qualities<sup>1</sup> of the natural character, natural features and landscape values in terms of (1)(a), whether there are any

---

<sup>1</sup> For areas that have been mapped, the worksheets referred to in Appendix 1 identify characteristics and qualities.

significant adverse effects and the scale of any adverse effects in terms of (1)(b) and (2), and in determining the character, intensity and scale of the adverse effects:

- a) Recognise that a minor or transitory effect may not be an adverse effect;
- b) Recognise that many areas contain ongoing use and development that:
  - (i) Were present when the area was identified as high or outstanding or have subsequently been lawfully established
  - (ii) May be dynamic, diverse or seasonal;
- c) Recognise that there may be more than minor cumulative adverse effects from minor or transitory adverse effects; and
- d) Have regard to any restoration and enhancement on the characteristics and qualities of that area of natural character, natural features and/or natural landscape.

#### 4.8.1 Policy

4.8.1 Policy – Demonstrate the need to occupy space in the common marine and coastal area.

**X**

- (1) Only consider allowing structures, the use of structures and other activities that occupy space in the common marine and coastal area where:
  - (a) They have a functional need to be located in the common marine and coastal area, unless the structure, use or activity is consistent with Policy 4.8.1(2);
  - (b) It is not feasible for the structure, the use or the occupation of space to be undertaken on dry land (land outside the common marine and coastal area), unless it is consistent with Policy 4.8.1(2);
  - (c) It is not feasible to use an existing authorised structure; and
  - (d) The area occupied is necessary to provide for or undertake the intended use.
- (2) Occupation of space and structures (and their use) that are contrary to Policy 4.8.1(1) (a) and (b) may be appropriate where they will make a significant positive contribution to the local area or the region.
- (3) If the public are excluded from using a structure or common marine and coastal area, the exclusion is:
  - (a) Only for the time period(s) and the area necessary to provide for or undertake the intended use; or
  - (b) Necessary to ensure the integrity of the structure; or
  - (c) Necessary to ensure the health and safety of the public.

#### 5.1.2 Policy

5.1.2 Policy – Development in the coastal environment.

**X**

Enable people and communities to provide for their wellbeing through appropriate subdivision, use, and development that:

- (a) Consolidates urban development<sup>2</sup> within or adjacent to existing coastal settlements and avoids sprawling or sporadic patterns of development;
- (b) Ensures sufficient development setbacks from the coastal marine area to;
  - (i) maintain and enhance public access, open space, and amenity values; and
  - (ii) allow for natural functioning of coastal processes and ecosystems;
- (c) Takes into account the values of adjoining or adjacent land and established activities (both within the coastal marine area and on land);
- (d) Ensures adequate infrastructure services will be provided for the development; and
- (e) Avoids adverse effects on access to, use and enjoyment of surf breaks of national significance for surfing. Note: in determining the appropriateness of subdivision, use and development, all policies and methods in the Regional Policy Statement must be considered, particularly policies relating to natural character, features and landscapes, heritage, natural hazards, indigenous ecosystems and fresh and coastal water quality.

<b>5.1.3 Policy</b>	<p>5.1.3 Policy – Avoiding the adverse effects of new use(s) and development.</p> <p>Avoid the adverse effects, including reverse sensitivity effects of new subdivision, use and development, particularly residential development on the following:</p> <ul style="list-style-type: none"> <li>(a) Primary production activities in primary production zones (including within the coastal marine area);</li> <li>(b) Commercial and industrial activities in commercial and industrial zones;</li> <li>(c) The operation, maintenance or upgrading of existing or planned<sup>3</sup> regionally significant infrastructure<sup>4</sup>; and</li> <li>(d) The use and development of regionally significant mineral resources<sup>5</sup></li> </ul>	<b>X</b>
<b>5.2.2 Policy</b>	<p>5.2.2 Policy – Future-proofing infrastructure.</p> <p>Encourage the development of infrastructure that is flexible, resilient, and adaptable to the reasonably foreseeable needs of the community.</p>	<b>X</b>
<b>5.2.3 Policy</b>	<p>5.2.3 Policy – Infrastructure, growth and economic development.</p> <p>Promote the provision of infrastructure as a means to shape, stimulate and direct opportunities for growth and economic development.</p>	<b>X</b>

<sup>2</sup> For the purpose of Policy 5.1.2 'urban development' means subdivision, land use or development intended for mixed-use, commercial, industrial activities and all development where the primary purpose is residential use, except where it is ancillary to a lawfully established rural activity.

<sup>3</sup> In this instance, planned means the infrastructure has been identified and provided for in a; notice of requirement designation, resource consent, a regional or district plan, the Northland Regional Land Transport Strategy or a document prepared using the special consultative process under the Local Government Act 2002

<sup>4</sup> See also Policy 5.3.1

<sup>5</sup> See also Policy 5.1.4

<b>5.3.1 Policy</b>	5.3.1 Policy – Identifying regionally significant infrastructure.  The regional and district councils shall recognise the activities identified in Appendix 3 of this document as being regionally significant infrastructure.	<b>X</b>
---------------------	--	----------

<b>5.3.2 Policy</b>	5.3.2 Policy – Benefits of regionally significant infrastructure.  Particular regard shall be had to the significant social, economic, and cultural benefits of regionally significant infrastructure when considering and determining resource consent applications or notices of requirement for regionally significant infrastructure.	<b>X</b>
---------------------	---	----------

<b>5.3.3 Policy</b>	<p>5.3.3 Policy – Managing adverse effects arising from regionally significant infrastructure.</p> <p>(1) Allow adverse effects arising from the establishment and operation of new regionally significant infrastructure and the re-consenting of existing operations where:</p> <ul style="list-style-type: none"> <li>(a) The proposal is consistent with Policies 4.4.1(1), 4.4.1(2), 4.6.1(1)(a), 4.6.1(1)(b), 4.6.1(2) and 4.6.2 (1);</li> <li>(b) The proposal does not result in established water quality limits or environmental flows and / or levels being exceeded or otherwise could lead to the over-allocation of a catchment (refer to Policy 4.1.1);</li> <li>(c) Damage to and / or loss of the relationship of iwi with ancestral sites, sites of significance, wāhi tapu, customary activities and / or taonga is avoided or otherwise agreed to by the affected iwi or hapū; and</li> <li>(d) In addition to the matters outlined in 1) (a) – (c) above, other adverse effects are avoided, remedied or mitigated to the extent that they are no more than minor.</li> </ul> <p>(2) Allow adverse effects arising from the maintenance and upgrading of established regionally significant infrastructure wherever it is located, where:</p> <ul style="list-style-type: none"> <li>(a) The adverse effects whilst the maintenance or upgrading is being undertaken are not significant; and</li> <li>(b) The adverse effects after the conclusion of the maintenance or upgrading are the same or similar to before the activity being undertaken.</li> </ul> <p>(3) When managing the adverse effects of regionally significant infrastructure decision makers will give weight to:</p> <ul style="list-style-type: none"> <li>(a) The benefits of the activity in terms of Policy 5.3.2;</li> <li>(b) Whether the activity must be recognised and provided for as directed by a national policy statement;</li> <li>(c) Any constraints that limit the design and location of the activity, including any alternatives that have been considered which have proven to be impractical, or have greater adverse effects;</li> <li>(d) Whether the proposal is for regionally significant infrastructure which is included in Schedule 1 of the Civil Defence Emergency</li> </ul>	<b>X</b>
---------------------	--	----------

Management Act as a lifeline utility and meets the reasonably foreseeable needs of Northland;

- (e) The extent to which the adverse effects of the activity can be practicably reduced. Such an assessment shall also take into account appropriate measures, when offered, to provide positive effects, either within the subject site or elsewhere provided that the positive effects accrue to the community of interest and / or resource affected; and
- (f) Whether a monitoring programme for any identified significant adverse effects with unknown or uncertain outcomes could be included as a condition of consent and an adaptive management regime (including modification to the consented activity) is used to respond to such effects.
- (g) Whether the infrastructure proposal helps to achieve consolidated development and efficient use of land.

## **Appendix B2**

### Proposed Northland Regional Plan

## Proposed Northland Regional Plan Provisions

Green shading within the table indicates a directive provision that may present a consenting challenge.

	Provision	Northport
<b>Coastal Policies</b>		
<b>D.5.8 Policy</b>	<b>Coastal Commercial Zone and Marsden Point Port Zone Purpose</b>  Recognise that the purpose of the Coastal Commercial Zone and Marsden Point Port Zone is to enable the development and operation of existing and authorised maritime-related commercial enterprises or industrial activities located within these zones. <i>Appealed.</i>	<b>X</b>
<b>D.5.9 Policy</b>	<b>Coastal Commercial Zone and Marsden Point Port Zone</b>  Development in the Coastal Commercial Zone and the Marsden Point Port Zone will generally be appropriate provided it is: <ol style="list-style-type: none"> <li>1) consistent with:               <ol style="list-style-type: none"> <li>a) existing development in the Coastal Commercial Zone or the Marsden Point Port Zone, and</li> <li>b) existing development on adjacent land above mean high water springs, and c) development anticipated on the land above mean high water springs by the relevant district plan, or</li> </ol> </li> <li>2) associated with regionally significant infrastructure in the Marsden Point Port Zone. Development that is inconsistent with 1) or 2) will not necessarily be inappropriate.</li> </ol> <i>(Appealed)</i>	<b>X</b>
<b>D.5.20 Policy</b>	<b>Reclamation</b>  Recognise the potential benefits of reclamations when they are undertaken to: <ol style="list-style-type: none"> <li>1) maintain or repair an authorised reclamation, or</li> <li>2) carry out rehabilitation or remedial works, or</li> <li>3) create or enhance habitat for indigenous species where degraded areas of the coastal environment require restoration or rehabilitation.</li> </ol> <i>(Appealed)</i>	<b>X</b>
<b>D.5.22 Policy</b>	<b>D.5.22 Dredging, disturbance and deposition activities</b>  Dredging, disturbance and deposition activities should not: <ol style="list-style-type: none"> <li>1) cause long-term erosion within the coastal marine area or on adjacent land, and</li> <li>2) cause damage to any authorised structure.</li> </ol> <i>(Appealed)</i>	<b>X</b>

	Provision	Northport
<b>D.5.23 Policy</b>	<b>Benefits of dredging, disturbance and deposition activities</b>  Recognise that dredging, disturbance and deposition activities may be necessary: <ol style="list-style-type: none"> <li>1) for the continued operation of existing infrastructure, or</li> <li>2) for the operation, maintenance, upgrade or development of regionally significant infrastructure, or</li> <li>3) to maintain or improve access and navigational safety within the coastal marine area, or</li> <li>4) for beach re-nourishment or replenishment activities, or</li> <li>5) to protect, restore or rehabilitate ecological or recreational values, or</li> <li>6) when it is undertaken in association with the deposition of material for beneficial purposes, including the restoration or enhancement of natural systems and features that contribute towards reducing the impacts of coastal hazards.</li> </ol>	<b>X</b>
<b>D.5.25 Policy</b>	<b>Underwater noise</b>  Activities causing underwater noise (such as blasting, vibratory piling and drilling, construction, demolition and marine seismic surveying) must: <ol style="list-style-type: none"> <li>1) adopt the best practicable option to manage noise so that it does not exceed a reasonable level, and 218 Appeal to Environment Court by CEP Services Matauwhi Ltd ENV-2019-AKL-000111 251</li> <li>2) in the case of marine seismic surveying, demonstrate compliance with Code of Conduct for Minimising Acoustic Disturbance to Marine Mammals from Seismic Surveying Operations (Department of Conservation, 2013), and</li> <li>3) avoid adverse effects on marine mammals listed as Threatened or At Risk in the New Zealand Threat Classification System, and</li> <li>4) avoid, remedy or mitigate other adverse effects on marine mammals, having regard to the location and duration of the proposed activity and the benefits of activities:               <ol style="list-style-type: none"> <li>a) to be undertaken in association with scientific research and analysis, or</li> <li>b) involving the maintenance or enhancement of navigational safety in permanently navigable harbour waters, or</li> <li>c) to be undertaken in association with the operation, maintenance and protection of regionally significant infrastructure, or</li> <li>d) that mitigate natural hazards.</li> </ol> </li> </ol>	<b>X</b>
<b>D.6.2 Policy</b>	<b>Design and location of hard protection structures</b>  New hard protection structures must: <ol style="list-style-type: none"> <li>1) be located as far landward as possible in order to retain existing natural defences against coastal hazards as much as possible, and</li> </ol>	



	Provision	Northport
--	-----------	-----------

- 2) be designed and constructed by a suitably qualified and experienced professional, and
  - 3) incorporate the use of soft protection measures where practical, and
  - 4) be designed to take into account the nature of the coastal hazard risk and how it might change over at least a 100-year time-frame, including the projected effects of a sea level rise of one metre by 2115 (100 years).
- Appealed*

## Tangata Whenua

### D.1.1 Policy **When an analysis of effects on tangata whenua and their taonga is required** **X**

A resource consent application must include in its assessment of environmental effects an analysis of the effects of an activity on tangata whenua and their taonga if one or more of the following is likely:

- 1) adverse effects on mahinga kai or access to mahinga kai, or
- 2) any damage, destruction or loss of access to wāhi tapu, sites of customary value and other ancestral sites and taonga with which Māori have a special relationship, or
- 3) adverse effects on indigenous biodiversity in the beds of waterbodies or the coastal marine area where it impacts on the ability of tangata whenua to carry out cultural and traditional activities, or
- 4) the use of genetic engineering and the release of genetically modified organisms to the environment, or
- 5) adverse effects on tāiapure, mataitai or Māori non-commercial fisheries, or
- 6) adverse effects on protected customary rights, or
- 7) adverse effects on sites and areas of significance to tangata whenua mapped in the Regional Plan (refer I Maps I Ngā mahere matawhenua).

### D.1.2 Policy **Requirements of an analysis of effects on tangata whenua and their taonga** **X**

If an analysis of the effects of an activity on tangata whenua and their taonga is required in a resource consent application, the analysis must:

- 1) include such detail as corresponds with the scale and significance of the effects that the activity may have on tangata whenua and their taonga, and
- 2) have regard to (but not be limited to):
  - a) any relevant planning document recognised by an iwi authority (lodged with the Council) to the extent that its content has a bearing on the resource management issues of the region, and
  - b) the outcomes of any consultation with tangata whenua with respect to the consent application, and
  - c) statutory acknowledgements in Treaty Settlement legislation, and
- 3) follow best practice, including requesting, in the first instance, that the relevant tangata whenua undertake the assessment, and

	Provision	Northport
--	-----------	-----------

- 4) specify the tangata whenua that the assessment relates to, and
- 5) be evidence-based, and
- 6) incorporate, where appropriate, mātauranga Māori, and
- 7) identify and describe all the cultural resources and activities that may be affected by the activity, and
- 8) identify and describe the adverse effects of the activity on the cultural resources and cultural practices (including the effects on the mauri of the cultural resources, the cultural practices affected, how they are affected, and the extent of the effects), and
- 9) identify, where possible, how to avoid, remedy or mitigate the adverse effects on cultural values of the activity that are more than minor, and
- 10) include any other relevant information.

#### **D.1.3 Policy      Affected persons      X**

The following persons must be considered an affected person regarding notification where the adverse effects on the following resources and activities are minor or more than minor:

Table 14: Circumstances where tangata whenua are adversely affected for purposes of notification:

Person	Resource or activity
The tangata whenua identified in an analysis of the effects undertaken in accordance with policy D.1.2 'Requirements of an analysis of effects on tangata whenua and their taonga'.	Cultural resources or activities identified in an analysis of effects undertaken in accordance with Policy D.1.2.
The committee of management of a <a href="#">taiāpure</a> .	<a href="#">Taiāpure</a>
The Māori committee, marae committee or the kaitiaki with responsibility for the <a href="#">mataitai</a> .	<a href="#">Mataitai</a>
The tangata kaitiaki / tiaki appointed by the provisions of the Fisheries (Kaimoana Customary Fishing) Regulations 1998 for the relevant rohe moana.	Non-commercial Māori fisheries.

#### **D.1.4 Policy      Managing effects on places of significance to tangata whenua      X**

Resource consent for an activity may generally only be granted if the adverse effects from the activity on the values of Places of Significance to Tangata Whenua in the coastal marine area and water bodies are avoided, remedied or mitigated so they are no more than minor.

#### **D.1.5 Policy      Places of significance to tangata whenua      X**

For the purposes of this Plan, a place of significance to tangata whenua:

- 1) is in the coastal marine area, or in a water body, where the values which may be impacted are related to any of the following:
  - a) soil conservation, or
  - b) quality and quantity of water, or
  - c) aquatic ecosystems and indigenous biodiversity, and

	Provision	Northport
--	-----------	-----------

- 2) is:
  - a) a historic heritage resource, or
  - b) ancestral land, water, site, wāhi tapu, or other taonga, and
- 3) is either:
  - a) a Site or Area of Significance to tangata whenua, which is a single resource or set of resources identified, described and contained in a mapped location, or
  - b) a Landscape of Significance to tangata whenua, which is a collection of related resources identified and described within a mapped area, with the relationship between those component resources identified, and
- 4) has one or more of the following attributes:
  - a) historic associations, which include but are not limited to:
    - i. stories of initial migration, arrival and settlement, or
    - ii. patterns of occupation, including permanent, temporary or seasonal occupation, or
    - iii. the sites of conflicts and the subsequent peace-making and rebuilding of iwi or hapū, or
    - iv. kinship and alliances built between areas and iwi or hapū, often in terms of significant events, or
    - v. alliances to defend against external threats, or
    - vi. recognition of notable tupuna, and sites associated with them, or
  - b) traditional associations, which include but are not limited to:
    - i. resource use, including trading and trading routes between groups (for instance – with minerals such as matā/obsidian), or
    - ii. traditional travel and communication linkages, both on land and sea, or
    - iii. areas of mana moana for fisheries and other rights, or
    - iv. use of landmarks for navigation and location of fisheries grounds, or
    - v. implementation of traditional management measures, such as rāhui or tohatoa (distribution), or
  - c) cultural associations, which include but are not limited to:
    - i. the web of whanaungatanga connecting across locations and generations, or
    - ii. the implementation of concepts such as kaitiakitanga and manākitanga, with specific details for each whanau, hapū and iwi, or
  - d) spiritual associations which pervade all environmental and social realities, and include but are not limited to:
    - i. the role of the atua Ranginui and Papatūānuku, and their offspring such as Tangaroa and Tāne, or

	Provision	Northport
	<ul style="list-style-type: none"> <li>ii. the recognition of places with connection to the wairua of those with us and those who have passed away, or</li> <li>iii. the need to maintain the mauri of all living things and their environment, and</li> </ul> <p>5) must:</p> <ul style="list-style-type: none"> <li>a) be based on traditions and tikanga, and</li> <li>b) be endorsed for evidential purposes by the relevant tangata whenua community, and</li> <li>c) record the values of the place for which protection is required, and</li> <li>d) record the relationship between the individual sites or resources (landscapes only), and</li> <li>e) record the tangata whenua groups determining and endorsing the assessment, and</li> <li>f) geographically define the areas where values can be adversely affected.</li> </ul> <p><i>(Appealed)</i></p>	
<b>D.2.5 Policy</b>	<p><b>Benefits of regionally significant infrastructure</b></p> <p>Particular regard must be had to the national, regional and locally significant social, economic, and cultural benefits of regionally significant infrastructure.</p> <p><i>(Appealed)</i></p>	<b>X</b>
<b>D.2.6 Policy</b>	<p><b>Minor adverse effects arising from the establishment and operation of regionally significant infrastructure</b></p> <p>Enable the establishment and operation (including consenting) of regionally significant infrastructure by allowing any minor adverse effects providing:</p> <ul style="list-style-type: none"> <li>1) The regionally significant infrastructure proposal is consistent with: <ul style="list-style-type: none"> <li>a) all policies in Section D.1 Tangata whenua, and</li> <li>b) Rule D.2.14 Managing adverse effects on historic heritage, and</li> <li>c) Rule D.2.15 Managing adverse effects on natural character, outstanding natural landscapes and outstanding natural features, and</li> <li>d) Rule D.2.7 Managing adverse effects on indigenous biodiversity, and</li> </ul> </li> <li>2) the regionally significant infrastructure proposal will not likely result in over-allocation having regard to the allocation limits in H.4.3 Allocation limits for rivers, and</li> <li>3) other adverse effects arising from the regionally significant infrastructure are avoided, remedied, mitigated or offset to the extent they are no more than minor.</li> </ul> <p><i>(Appealed)</i></p>	<b>X</b>

	Provision	Northport
<b>D.2.7 Policy</b>	<b>Maintenance, repair and upgrading of regionally significant infrastructure</b>  Enable the maintenance and upgrading of established regionally significant infrastructure wherever it is located by allowing adverse effects, where: <ol style="list-style-type: none"> <li>1) the adverse effects whilst the maintenance or upgrading is being undertaken are not significant or they are temporary or transitory, and</li> <li>2) the adverse effects after the conclusion of the maintenance or upgrading are the same, or similar, to those arising from the regionally significant infrastructure before the activity was undertaken. Appealed</li> </ol>	<b>X</b>
<b>D.2.8 Policy</b>	<b>Appropriateness of regionally significant infrastructure proposals</b>  When considering the appropriateness of a regionally significant infrastructure activity in circumstances where adverse effects are greater than envisaged in Policies D.2.6 and D.2.7, have regard and give appropriate weight to: <ol style="list-style-type: none"> <li>1) the benefits of the activity in terms of D.2.5, and</li> <li>2) whether the activity must be recognised and provided for by a national policy statement, and</li> <li>3) any demonstrated functional need for the activity, and</li> <li>4) the extent to which any adverse environmental effects have been avoided, remedied or mitigated by route, site or method selection, and</li> <li>5) any operational, technical or location constraints that limit the design and location of the activity, including any alternatives that have been considered which have proven to be impractical, or have greater adverse effects, and</li> <li>6) whether the activity is for regionally significant infrastructure which is included in Schedule 1 of the Civil Defence Emergency Management Act as a lifeline utility and meets the reasonably foreseeable needs of Northland, and</li> <li>7) the extent to which the adverse effects of the activity can be practicably reduced, inclusive of any positive effects and environmental offsets proposed, and</li> <li>8) whether an adaptive management regime (including modification to the consented activity) can be used to manage any uncertainty around the occurrence of residual adverse effects, and</li> <li>9) whether the activity helps to achieve consolidated development and the efficient use of land and resources, including within the coastal marine area. Appealed</li> </ol>	<b>X</b>
<b>D.2.9 Policy</b>	<b>Protection of regionally significant infrastructure</b>  When considering new use and development activities that could adversely affect the ongoing operation, maintenance, upgrade or development of regionally significant infrastructure; ensure that the regionally significant infrastructure is not compromised. Appealed	<b>X</b>

	Provision	Northport															
<b>D.2.15 Policy</b>	<p><b>Managing adverse effects on natural character, outstanding natural landscapes and outstanding natural features</b></p> <p>Manage the adverse effects of activities on natural character, outstanding natural landscapes and outstanding natural features by:</p> <p>1) avoiding adverse effects of activities as follows:</p> <p>Table 15: Adverse effects to be avoided:</p> <table border="1"> <thead> <tr> <th>Area / Feature</th><th>Location / Context</th><th>Adverse effects avoided</th></tr> </thead> <tbody> <tr> <td>Areas of outstanding natural character</td><td>Coastal marine area and fresh waterbodies in the coastal environment.</td><td>Adverse effects on the characteristics, qualities and values that contribute to make the place outstanding.</td></tr> <tr> <td>Outstanding natural seascapes</td><td>Coastal marine area.</td><td></td></tr> <tr> <td>Natural character</td><td>The coastal marine area and freshwater bodies.</td><td>Significant adverse effects on the characteristics, qualities and values that contribute to natural character.</td></tr> <tr> <td>Outstanding natural features</td><td>Fresh waterbodies outside the coastal environment.</td><td>Significant adverse effects on the characteristics, qualities and values that contribute to make the natural feature outstanding.</td></tr> </tbody> </table> <p>2) recognising that in relation to natural character in waterbodies (where not identified as outstanding natural character), appropriate methods of avoiding, remedying or mitigating adverse effects may include:</p> <ol style="list-style-type: none"> <li>ensuring the location, intensity, scale and form of activities is appropriate having regard to natural elements and processes, and</li> <li>in areas of high natural character in the coastal marine area, minimising to the extent practicable indigenous vegetation clearance and modification (seabed and foreshore disturbance, structures, discharges of contaminants), and</li> <li>in freshwater, minimising to the extent practicable modification (disturbance, structures, extraction of water and discharge of contaminants), and</li> </ol> <p>3) recognising that in relation to outstanding natural features in water bodies outside the coastal environment, appropriate methods of avoiding, remedying or mitigating adverse effects may include:</p> <ol style="list-style-type: none"> <li>requiring that the scale and intensity of bed disturbance and modification is appropriate, taking into account the feature's scale, form and vulnerability to modification of the feature, and</li> <li>requiring that proposals to extract water or discharge contaminants do not significantly adversely affect the characteristics, qualities and values of the outstanding natural feature, and</li> </ol> <p>4) recognising that uses and development form part of existing landscapes, features and waterbodies and have existing effects.</p> <p><i>(Appealed)</i></p>	Area / Feature	Location / Context	Adverse effects avoided	Areas of outstanding natural character	Coastal marine area and fresh waterbodies in the coastal environment.	Adverse effects on the characteristics, qualities and values that contribute to make the place outstanding.	Outstanding natural seascapes	Coastal marine area.		Natural character	The coastal marine area and freshwater bodies.	Significant adverse effects on the characteristics, qualities and values that contribute to natural character.	Outstanding natural features	Fresh waterbodies outside the coastal environment.	Significant adverse effects on the characteristics, qualities and values that contribute to make the natural feature outstanding.	<b>X</b>
Area / Feature	Location / Context	Adverse effects avoided															
Areas of outstanding natural character	Coastal marine area and fresh waterbodies in the coastal environment.	Adverse effects on the characteristics, qualities and values that contribute to make the place outstanding.															
Outstanding natural seascapes	Coastal marine area.																
Natural character	The coastal marine area and freshwater bodies.	Significant adverse effects on the characteristics, qualities and values that contribute to natural character.															
Outstanding natural features	Fresh waterbodies outside the coastal environment.	Significant adverse effects on the characteristics, qualities and values that contribute to make the natural feature outstanding.															
<b>D.2.16 Policy</b>	<b>Managing adverse effects on indigenous biodiversity</b>	<b>X</b>															

	Provision	Northport
	<p>Manage the adverse effects of activities on indigenous biodiversity by:</p> <ol style="list-style-type: none"> <li>1) in the coastal environment: <ol style="list-style-type: none"> <li>a) avoiding adverse effects on: <ol style="list-style-type: none"> <li>i. indigenous taxa that are listed as Threatened or At Risk in the New Zealand Threat Classification System lists, and</li> <li>ii. areas of indigenous vegetation and habitats of indigenous fauna that are assessed as significant using the assessment criteria in Appendix 5 of the Regional Policy Statement, and</li> <li>iii. areas set aside for full or partial protection of indigenous biodiversity under other legislation, and</li> </ol> </li> <li>b) avoiding significant adverse effects and avoiding, remedying or mitigating other adverse effects on: <ol style="list-style-type: none"> <li>i. areas of predominantly indigenous vegetation, other than areas of mangroves to be pruned or removed for one of the purposes listed in D.5.26, and</li> <li>ii. habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes, and</li> <li>iii. indigenous ecosystems and habitats that are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, intertidal zones, rocky reef systems, eelgrass, northern wet heathlands, coastal and headwater streams, spawning and nursery areas and saltmarsh, and</li> </ol> </li> </ol> </li> <li>2) outside the coastal environment: <ol style="list-style-type: none"> <li>a) avoiding, remedying or mitigating adverse effects so they are no more than minor on: <ol style="list-style-type: none"> <li>i. indigenous taxa that are listed as Threatened or At Risk in the New Zealand Threat Classification System lists, and</li> <li>ii. areas of indigenous vegetation and habitats of indigenous fauna, that are significant using the assessment criteria in Appendix 5 of the Regional Policy Statement, and</li> <li>iii. areas set aside for full or partial protection of indigenous biodiversity under other legislation, and</li> </ol> </li> <li>b) avoiding, remedying or mitigating adverse effects so they are not significant on: <ol style="list-style-type: none"> <li>i. areas of predominantly indigenous vegetation, and</li> <li>ii. habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes, and</li> <li>iii. indigenous ecosystems and habitats that are particularly vulnerable to modification, including wetlands, wet heathlands, headwater streams, spawning and nursery areas, and</li> </ol> </li> </ol> </li> <li>3) recognising areas of significant indigenous vegetation and significant habitats of indigenous fauna include:</li> </ol>	

	Provision	Northport
	<ul style="list-style-type: none"> <li>a) Significant Ecological Areas, and</li> <li>b) Significant Bird Areas, and</li> <li>c) Significant Marine Mammal and Seabird Areas, and</li> </ul> <p>4) recognising damage, disturbance or loss to the following as being potential adverse effects:</p> <ul style="list-style-type: none"> <li>a) connections between areas of indigenous biodiversity, and</li> <li>b) the life-supporting capacity of the area of indigenous biodiversity, and</li> <li>c) flora and fauna that are supported by the area of indigenous biodiversity, and</li> <li>d) natural processes or systems that contribute to the area of indigenous biodiversity, and</li> </ul> <p>5) assessing the potential adverse effects of the activity on identified values of indigenous biodiversity, including by:</p> <ul style="list-style-type: none"> <li>a) taking a system-wide approach to large areas of indigenous biodiversity such as whole estuaries or widespread bird and marine mammal habitats, recognising that the scale of the effect of an activity is proportional to the size and sensitivity of the area of indigenous biodiversity, and</li> <li>b) recognising that existing activities may be having existing acceptable effects, and</li> <li>c) recognising that discrete, localised or otherwise minor effects impacting on the indigenous biodiversity may be acceptable, and</li> <li>d) recognising that activities with transitory effects may be acceptable, and</li> </ul> <p>6) recognising that appropriate methods of avoiding, remedying or mitigating adverse effects may include:</p> <ul style="list-style-type: none"> <li>a) careful design, scale and location proposed in relation to areas of indigenous biodiversity, and</li> <li>b) maintaining and enhancing connections within and between areas of indigenous biodiversity, and</li> <li>c) considering the minimisation of effects during sensitive times such as indigenous freshwater fish spawning and migration periods, and</li> <li>d) providing adequate setbacks, screening or buffers where there is the likelihood of damage and disturbance to areas of indigenous biodiversity from adjacent use and development, and</li> <li>e) maintaining the continuity of natural processes and systems contributing to the integrity of ecological areas, and</li> <li>f) the development of ecological management and restoration plans, and</li> </ul> <p>7) recognising that significant residual adverse effects on biodiversity values can be offset or compensated:</p> <ul style="list-style-type: none"> <li>a) in accordance with the Regional Policy Statement for Northland Policy 4.4.1, and<sup>1</sup></li> </ul>	



	Provision	Northport
	<p>b) after consideration of the methods in (6) above, and</p> <p>8) recognising the benefits of activities that:</p> <p>a) include the restoration and enhancement of ecosystems, habitats and indigenous biodiversity, and</p> <p>b) improve the <b>public</b> use, value or understanding of ecosystems, habitats and indigenous biodiversity. <i>Appealed</i></p>	
<b>Objectives</b>		
<b>F.1.3 Objective</b>	<p><b>Indigenous ecosystems and biodiversity</b></p> <p>In the coastal marine area and in fresh waterbodies, safeguard ecological integrity by:</p> <ol style="list-style-type: none"> <li>1) protecting areas of significant indigenous vegetation and significant habitats of indigenous fauna, and</li> <li>2) maintaining regional indigenous biodiversity, and</li> <li>3) where practicable, enhancing and restoring indigenous ecosystems and habitats to a healthy functioning state, and reducing the overall threat status of regionally and nationally Threatened or At Risk species, and</li> <li>4) preventing the introduction of new marine or freshwater pests into Northland and slowing the spread of established marine or freshwater pests within the region.</li> </ol> <p><i>(Appealed)</i></p>	<b>X</b>
<b>F.1.5 Objective</b>	<p><b>Regionally significant infrastructure</b></p> <p>Recognise the national, regional and local benefits of regionally significant infrastructure and renewable energy generation and enable their effective development, operation, maintenance, repair, upgrading and removal.</p> <p><i>(Appealed)</i></p>	<b>X</b>
<b>F.1.7 Objective</b>	<p><b>Use and development in the coastal marine area</b></p> <p>Use and development in the coastal marine area:</p> <ol style="list-style-type: none"> <li>1) makes efficient use of space occupied in the common marine and coastal area, and</li> <li>2) is of a scale, density and design compatible with its location, and</li> <li>3) recognises the need to maintain and enhance public open space and recreational opportunities, and</li> <li>4) is provided for in appropriate places and forms, and within appropriate limits.</li> </ol> <p><i>(Appealed)</i></p>	<b>X</b>

	Provision	Northport
<b>F.1.11 Objective</b>	<p><b>Natural character, outstanding natural features, historic heritage and places of significance to tangata whenua</b></p> <p>Protect from inappropriate use and development:</p> <ol style="list-style-type: none"> <li>1) the characteristics, qualities and values that make up: <ol style="list-style-type: none"> <li>a) outstanding natural features in the coastal marine area and in fresh waterbodies, and</li> <li>b) areas of outstanding and high natural character in the coastal marine area and in fresh waterbodies within the coastal environment, and</li> <li>c) natural character in fresh waterbodies outside the coastal environment, and</li> <li>d) outstanding natural seascapes in the coastal marine area, and</li> </ol> </li> <li>2) the integrity of historic heritage in the coastal marine area, and</li> <li>3) the values of places of significance to tangata whenua in the coastal marine area and freshwater bodies.</li> </ol> <p><i>(Appealed)</i></p>	<b>X</b>

## **Appendix B3**

### Bay of Plenty Regional Policy Statement

## Bay of Plenty Regional Policy Statement 2014 Provisions

Green shading within the table indicates a directive provision that may present a consenting challenge.

	Provision	Port of Tauranga
<b>Coastal Environment Objectives</b>		
<b>Objective 2</b>	Preservation, restoration and, where appropriate, enhancement of the natural character and ecological functioning of the coastal environment.	<b>X</b>
<b>Objective 3</b>	Equitable and sustainable allocation of public space within the coastal marine area.	<b>X</b>
<b>Objective 4</b>	Enable subdivision, use and development of the coastal environment in appropriate locations.	<b>X</b>
<b>Energy and Infrastructure Objectives</b>		
<b>Objective 6</b>	Provide for the social, economic, cultural and environmental benefits of, and the use and development of nationally and regionally significant infrastructure and renewable energy.	<b>X</b>
<b>Objective 7</b>	Provide for the appropriate management of: <ul style="list-style-type: none"> <li>(a) any adverse environmental effects (including effects on existing lawfully established land uses) created by the development and use of infrastructure and associated resources;</li> <li>(b) any reverse sensitivity effects on established, consented or designated infrastructure.</li> </ul>	<b>X</b>
<b>Integrated resource management objectives</b>		
<b>Objective 10</b>	Cumulative effects of existing and new activities are appropriately managed.	<b>X</b>
<b>Objective 11</b>	An integrated approach to resource management issues is adopted by resource users and decision makers.	
<b>Objective 12</b>	The timely exchange, consideration of and response to relevant information by all parties with an interest in the resolution of a resource management issue.	
<b>Iwi resource management objectives</b>		
<b>Objective 13</b>	Kaitiakitanga is recognised and the principles of the Treaty of Waitangi (Te Tiriti o Waitangi) are systematically taken into account in the practice of resource management.	<b>X</b>
<b>Objective 14</b>	Partnerships between Bay of Plenty Regional Council, district and city councils and iwi authorities.	

	Provision	Port of Tauranga
<b>Objective 15</b>	Water, land, coastal and geothermal resource management decisions have regard to iwi and hapū resource management planning documents.	<b>X</b>
<b>Matters of national importance objectives</b>		
<b>Objective 18</b>	The protection of historic heritage and outstanding natural features and landscapes from inappropriate subdivision, use and development.	<b>X</b>
<b>Objective 19</b>	The preservation of the natural character of the region's coastal environment (including coastal marine areas) wetlands, lakes and rivers and their margins.	<b>X</b>
<b>Objective 20</b>	The protection of significant indigenous habitats and ecosystems, having particular regard to their maintenance, restoration and intrinsic values.	<b>X</b>
<b>Objective 21</b>	Recognition of and provision for the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga.	<b>X</b>
<b>Objective 22</b>	The coastal marine area, lakes and rivers are generally accessible to the public.	<b>X</b>
<b>Urban and rural growth management objectives</b>		
<b>Objective 23</b>	A compact, well designed and sustainable urban form that effectively and efficiently accommodates the region's urban growth.	
<b>Objective 24</b>	An efficient, sustainable, safe and affordable transport network, integrated with the region's land use patterns.	<b>X</b>
<b>Water quality and land use objectives</b>		
<b>Objective 27</b>	The quality and mauri of water in the region is maintained or, where necessary to meet the identified values associated with its required use and protection, enhanced.	
<b>Objective 29</b>	Land use activities are: <ul style="list-style-type: none"> <li>1 within the capability of the land to support the activity;</li> <li>2 integrated with the wider environmental values of their surroundings; and</li> <li>3 within the capacity of receiving waters to assimilate any discharge</li> </ul>	
<b>Natural hazards objectives</b>		
<b>Objective 31</b>	Avoidance or mitigation of natural hazards by managing risk for people's safety and the protection of property and lifeline utilities.	

	Provision	Port of Tauranga
<b>Coastal Environment Policies</b>		
<b>Policy CE 2B</b>	<p><b>Managing adverse effects on natural character within the coastal environment</b></p> <p>Preserve the natural character of the coastal environment and protect it from inappropriate subdivision, use and development by including provisions in regional and district plans, and when making decisions on resource consents to:</p> <ul style="list-style-type: none"> <li>(a) Avoid adverse effects of activities on the attributes that comprise natural character in areas of the coastal environment with outstanding natural character as identified in the maps and tables in Appendix I and J;</li> <li>(b) Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on the attributes comprising the natural character in all other areas of the coastal environment, recognising that areas identified in maps in Appendix I as having high or very high natural character can be especially sensitive to the adverse effects of inappropriate subdivision, use and development; and</li> <li>(c) Recognise that open coastal water in the region is of at least high natural character.</li> </ul>	<b>X</b>
<b>Policy CE 3A</b>	<p><b>Identifying the key constraints to use and development of the coastal marine area</b></p> <p>Identify the major constraints to the future use and development of the coastal marine area taking into account:</p> <ul style="list-style-type: none"> <li>(a) The scale, location and requirement of existing uses and activities;</li> <li>(b) The natural physical characteristics and values of the coastal environment;</li> <li>(c) The particular requirements of identifiable future uses;</li> <li>(d) The required links to the landward portion of the coastal environment, integral to the operation of uses and activities located in the coastal marine area; and</li> <li>(e) The role of the coastal environment in accommodating regionally significant infrastructure.</li> </ul>	<b>X</b>
<b>Policy CE 4A</b>	<p><b>Protecting and restoring natural coastal margins</b></p> <p>Protect the natural functioning of coastal margins and identify opportunities to restore and enhance natural functioning to allow for:</p> <ul style="list-style-type: none"> <li>(a) The continued natural functioning of physical processes, including changes arising as a result of climate change; and</li> <li>(b) The capacity of natural features (such as beaches, estuaries, sand dunes, wetlands, coastal vegetation and barrier islands) to provide subdivision, use or development with a protective buffer from natural hazards.</li> </ul>	<b>X</b>

	Provision	Port of Tauranga
<b>Policy CE 5A</b>	<p><b>Provide for sustainable use and development for the coastal marine area</b></p> <p>Provide by zoning or other spatial mechanisms for activities that have a functional and positional need to locate in the coastal marine area by zoning or other spatial mechanisms to:</p> <ul style="list-style-type: none"> <li>(a) Enable efficient use of these areas to meet the social and economic needs of the region;</li> <li>(b) Prioritise functionally or positionally dependent, activities over other uses which do not have a functional need for a location in the coastal marine area;</li> <li>(c) Enable the efficient use and development of renewable energy resources within the coastal environment;</li> <li>(d) Provide for other activities where they are compatible with functionally-dependent activities.</li> </ul>	<b>X</b>
<b>Policy CE 6B</b>	<p><b>Protecting indigenous biodiversity</b></p> <p>Use the criteria in Policy 11 of the New Zealand Coastal Policy Statement 2010 to identify and protect areas of indigenous biological diversity in the coastal environment requiring protection under that policy.</p>	
<b>Policy CE 8B</b>	<p><b>Ensuring subdivision, use and development is appropriate to the natural character of the coastal environment</b></p> <p>When assessing the effect of subdivision, use and development on the natural character of the coastal environment, particular regard shall be given to:</p> <ul style="list-style-type: none"> <li>(a) The level of natural character as shown in Maps in Appendix I, as described in Appendix J, and the level of protection to be afforded by Policy CE 2B;</li> <li>(b) The criteria contained in Set 1 of Appendix F to further refine natural character for resource consents or site-specific mapping;</li> <li>(c) Maintaining coastal margins in a natural state and protecting the natural values of beaches and dune systems, including their ability to reduce the impacts of coastal hazards such as tsunami and storm surge;</li> <li>(d) The appropriateness of the introduction or accumulation of man-made modifications recognising activities that are: <ul style="list-style-type: none"> <li>(i) planned (consented, zoned or designated);</li> <li>(ii) provided for in reserve management plans; or</li> <li>(iii) identified in Appendix C, D and E; or</li> <li>(iv) lawfully established;</li> </ul> </li> <li>(e) The provisions of Customary Marine Title Management Plans;</li> </ul>	<b>X</b>

	Provision	Port of Tauranga
	<p>(f) Subject to Policy CE 2B avoiding significant adverse effects and avoiding, remedying or mitigating (including, where appropriate, through provision of buffers) other adverse effects on:</p> <p>(i) Visually, ecologically or culturally sensitive landforms, including ridgelines, coastal cliffs, beaches, headlands, and peninsulas and visually prominent public open space;</p> <p>(ii) Estuaries, lagoons, wetlands and their margins (saline and freshwater), dune lands, rocky reef systems and areas of eelgrass and salt marsh;</p> <p>(iii) Terrestrial and marine ecosystems;</p> <p>(iv) Natural patterns of indigenous and exotic vegetation and processes that contribute to the landscape and seascape value of the area; and</p> <p>(v) Regionally significant surf breaks and their swell corridors, including those at Matakana Island and the Whakatāne Heads;</p> <p>(g) Encouraging efficient use of occupied space through intensification and clustering of developments, rather than sprawling, sporadic or unplanned patterns of settlement and urban growth;</p> <p>(h) Setting buildings and structures back from the coastal marine area and other waterbodies where necessary, practicable and appropriate to protect natural character, open space, public access and amenity values of the coastal environment, while recognising some structures may have a functional need to be located in the coastal environment, for which a setback would be inappropriate.</p>	
<b>Policy CE 9B</b>	<p><b>Safeguarding the life-supporting capacity of coastal ecosystems</b></p> <p>Safeguard the life-supporting capacity of coastal and marine ecosystems by maintaining or enhancing:</p> <p>(a) Any area within the inter-tidal or sub-tidal zone that contains unique, rare, distinctive or representative marine and avian species or habitats;</p> <p>(b) Areas used by marine mammals as breeding, feeding or haul-out sites;</p> <p>(c) Habitats in the coastal environment that are important during the vulnerable life stages of indigenous species or any life stage of species listed as threatened or at risk by the Department of Conservation;</p> <p>(d) Any areas that contain indigenous coastal ecosystems and habitats that are particularly vulnerable to modification – such as estuaries, lagoons, coastal wetlands, dunelands, rocky reef systems and salt marshes;</p> <p>(e) The integrity, functioning and resilience of physical and ecological processes; and</p> <p>(f) Promoting water quality in the coastal marine area that sustains healthy aquatic ecosystems.</p>	<b>X</b>



	Provision	Port of Tauranga
<b>Policy CE 10B</b>	<p><b>Managing adverse effects of land-based activities in the coastal environment on marine water quality</b></p> <p>Manage adverse effects, including cumulative effects, from land based activities in the coastal environment on marine water quality by:</p> <ul style="list-style-type: none"> <li>(a) Requiring that subdivision, use and development does not result in a significant contribution to sedimentation in the coastal marine area or other water bodies within the coastal environment;</li> <li>(b) Minimising the creation of impervious surface areas;</li> <li>(c) Minimising contaminants in stormwater that discharges into water or on to land that may enter water, including discharges to existing and new stormwater infrastructure;</li> <li>(d) Minimising the risk of releasing contaminants and avoiding releasing discharges from contaminated land;</li> <li>(e) Adopting water-sensitive design and management principles;</li> <li>(f) Adopting on-site management techniques that will improve the quality of stormwater and/or wastewater prior to discharge;</li> <li>(g) Establishing, replacing, retaining and/or enhancing riparian and catchment vegetation for the purpose of promoting setbacks and ecological buffer areas around wetland areas; and</li> <li>(h) Assessing treatment alternatives for discharges and adopting the best practicable option for treatment.</li> </ul>	<b>X</b>
<b>Policy CE 11B</b>	<p><b>Allocating public space within the coastal marine area</b></p> <p>For allocation of space within the coastal marine area activities shall demonstrate:</p> <ul style="list-style-type: none"> <li>(a) A functional or positional need to be located in, or adjacent to, the coastal marine area;</li> <li>(b) Efficient use of the natural resources within the coastal marine area; and</li> </ul> <p>In addition to policies MN 2B, MN 3B, MN 5B, MN 6B and MN 8B consideration shall also be given to the effect of the activity in relation to:</p> <ul style="list-style-type: none"> <li>(c) Whether any benefit to the public of the proposed activity compensates for the loss of public open space; Multiple use of space and/or rationalisation of infrastructure;</li> <li>(d) Recreational use of the coastal marine area;</li> <li>(e) Ecological functioning and natural processes of the coastal marine area;</li> <li>(f) Compatibility with the natural features and landscapes, natural character and amenity values of the coastal environment;</li> <li>(g) Respect for Māori customary practices; and</li> <li>(h) Existing uses and constraints in the coastal marine area.</li> </ul>	<b>X</b>

	Provision	Port of Tauranga
<b>Policy CE 12B</b>	<p><b>Avoiding inappropriate hazard mitigation in the coastal environment</b></p> <p>Avoid inappropriate hazard mitigation in the coastal environment with particular regard given to:</p> <ul style="list-style-type: none"> <li>(a) The environmental and social costs and benefits of a range of long term sustainable coastal hazard risk reduction options over a 100 year time frame, including natural defences and relocation or removal of development or structures at risk. This analysis shall include an assessment of residual risk remaining after the options are implemented;</li> <li>(b) Whether hard protection structures are the only practical means to protect infrastructure of national or regional importance;</li> <li>(c) Whether other long term risk reduction methods, including non structural or soft engineering solutions, are more appropriate options;</li> <li>(d) The cumulative effects of isolated hard protection structures; and</li> <li>(e) Whether the hard protection structures would adversely affect or facilitate public access to and along the coastal marine area.</li> </ul>	
<b>Policy CE 14B</b>	<p><b>Providing for ports</b></p> <p>Recognise the national and regional significance of the Port of Tauranga and the need for it to be located within the coastal environment by:</p> <ul style="list-style-type: none"> <li>(a) Safeguarding the capacity and efficiency of: <ul style="list-style-type: none"> <li>(i) Current port operations</li> <li>(ii) Activities that have a functional need to be located in and around the port;</li> <li>(iii) The strategic road, rail and sea routes to the port; and</li> </ul> </li> <li>(b) Providing, as appropriate, in the regional coastal plan, for future port operations and capacity; and</li> <li>(c) Having regard to potential adverse effects on the environment, providing for the need to maintain shipping channels and to renew/replace structures as part of ongoing maintenance; and</li> <li>(d) Avoiding activities in areas that may compromise port operations.</li> </ul>	<b>X</b>

#### Energy and Infrastructure Policies

<b>Policy EI 3B</b>	<p><b>Protecting nationally and regionally significant infrastructure</b></p> <p>Protect the ability to develop, maintain, operate and upgrade existing, consented and designated nationally and regionally significant infrastructure from incompatible subdivision, use or development. Ensure that where potentially incompatible subdivision, use or development is proposed near regionally significant infrastructure, it should be designed and located to avoid potential reverse sensitivity effects.</p>	<b>X</b>
---------------------	--	----------

	Provision	Port of Tauranga
<b>Policy EI 4B</b>	<p><b>Recognising the benefits from nationally and regionally significant infrastructure and the use and development of renewable energy</b></p> <p>Recognise and provide for the social, economic, cultural and environmental benefits of:</p> <p>(a) Nationally and regionally significant infrastructure, including:</p> <ul style="list-style-type: none"> <li>(i) The ability for people and goods to travel to, from and around the region efficiently;</li> <li>(ii) Maintaining public health and safety through the provision of essential services, supply of potable water and the collection and transfer of sewage;</li> <li>(iii) Maintaining access to energy so people can meet their energy needs;</li> <li>(iv) Maintaining access to telecommunication services so people can meet their communication needs; and</li> <li>(v) Maintaining reliable and resilient infrastructure for major industrial users and rural production activities to meet their needs to function effectively and efficiently.</li> </ul>	<b>X</b>
<b>Policy EI 5B</b>	<p><b>Managing adverse effects of regionally significant infrastructure on matters of national importance</b></p> <p>(a) Give priority to ensuring development and/or upgrades to regionally significant infrastructure avoid adverse effects on natural and physical resources identified in Policy MN 1B as matters of national importance.</p> <p>(b) Where adverse effects on natural and physical resources identified in Policy MN 1B cannot practicably be avoided then these effects are to be appropriately remedied or mitigated, including through the use of environmental offsets.</p>	<b>X</b>
<b>Policy EI 7B</b>	<p><b>Managing the effects of infrastructure development and use</b></p> <p>Manage the development and use of infrastructure and associated resources so as to address actual or potential effects on existing lawfully established activities in the vicinity.</p>	<b>X</b>
<b>Integrated Resource Management Policies</b>		
<b>Policy IR 1B</b>	<p><b>Applying a precautionary approach to managing natural and physical resources</b></p> <p>Apply a precautionary approach to the management of natural and physical resources, where there is scientific uncertainty and a threat of serious or irreversible adverse effects on the resource and the built environment.</p>	<b>X</b>
<b>Policy IR 2B</b>	<p><b>Having regard to the likely effects of climate change</b></p> <p>Recognise and provide for the predicted effects of climate change having particular regard to:</p>	<b>X</b>

	Provision	Port of Tauranga
	<ul style="list-style-type: none"> <li>(a) Predicted increase in rainfall intensity, taking account of the most recent national guidance and assuming a minimum increase in the annual mean temperature of 2 °C by 2090 (relative to 1990 levels); and</li> <li>(b) Predicted increase in sea level, taking into account the most recent national guidance and the minimum sea-level rise projections in Policy NH 11B.</li> </ul>	
<b>Policy IR 3B</b>	<p><b>Adopting an integrated approach</b></p> <p>Adopt an integrated approach to resource management that:</p> <ul style="list-style-type: none"> <li>(a) Recognises the interconnected nature of natural and physical resources, including as they adjust to changes;</li> <li>(b) Recognises the multiple values of natural and physical resources;</li> <li>(c) Responds to the nature and values of the resource and the diversity of effects (including cumulative and reverse sensitivity effects) that can occur;</li> <li>(d) Seeks to maximise benefits by considering opportunities to align interventions (including regulatory and non-regulatory) and/or to achieve multiple objectives;</li> <li>(e) Encourages developments, activities or land-use changes to: <ul style="list-style-type: none"> <li>1 Provide for the relationship between land use and water quality and quantity</li> <li>2 Recognise the advantages and constraints of land use capability;</li> <li>3 Provide for infrastructure and;</li> <li>4 Benefit the economic wellbeing of communities.</li> </ul> </li> <li>(f) Takes a long term strategic approach which recognises the changing environment and changing resource use pressures and trends;</li> <li>(g) Applies consistent and best practice standards and processes to decision making; and</li> <li>(h) Recognises different community values and social needs; and regards these as positive effects.</li> </ul>	
<b>Policy IR 5B</b>	<p><b>Assessing cumulative effects</b></p> <p>Give regard to the cumulative effects of a proposed activity in contributing to:</p> <ul style="list-style-type: none"> <li>(a) Incremental degradation of values of sites identified as having high natural character (in accordance with Policies CE 2B and CE 8B);</li> <li>(b) Incremental degradation of matters of significance to Māori including cultural effects (in accordance with Policy IW 5B);</li> <li>(c) Incremental degradation of water quality from point source and non-point source discharges including urban stormwater;</li> </ul>	<b>X</b>

	Provision	Port of Tauranga
--	-----------	------------------

- (d) Inefficient use of space associated with sprawling or sporadic new subdivision, use or development;
- (e) Incremental degradation of scenic values, amenity, open space, recreation and the general use and enjoyment by the public;
- (f) Adverse impacts on coastal processes, resource or values, biodiversity and ecological functioning;
- (g) The availability of freshwater resources;
- (h) Increased risk from natural hazards;
- (i) The loss of versatile land for rural production activities;
- (j) Effects on the function, efficiency and safety of infrastructure; and
- (k) Social and economic wellbeing.

#### Iwi Resource Management Policies

<b>Policy IW 2B</b>	<b>Recognising matters of significance to Māori</b>	<b>X</b>
---------------------	---	----------

Proposals which may affect the relationship of Māori and their culture and traditions must:

- (a) Recognise and provide for:
  - (i) Traditional Māori uses and practices relating to natural and physical resources such as mahinga mātaihai, waahi tapu, papakāinga and taonga raranga;
  - (ii) The role of tangata whenua as kaitiaki of the mauri of their resources;
  - (iii) The mana whenua relationship of tangata whenua with, and their role as kaitiaki of, the mauri of natural resources;
  - (iv) Sites of cultural significance identified in iwi and hapū resource management plans; and
- (b) Recognise that only tangata whenua can identify and evidentially substantiate their relationship and that of their culture and traditions with their ancestral lands, water, sites, waahi tapu and other taonga.

<b>Policy IW 3B</b>	<b>Recognising the Treaty in the exercise of functions and powers under the Act</b>
---------------------	---

Exercise the functions and powers of local authorities in a manner that:

- (a) Takes into account the principles of the Treaty of Waitangi;
- (b) Recognises that the principles of the Treaty will continue to evolve and be defined;
- (c) Promotes awareness and understanding of councils' obligations under the Act regarding the principles of the Treaty, tikanga Māori and kaupapa Māori, among council decision makers, staff and the community;

	Provision	Port of Tauranga
	<p>(d) Recognises that tangata whenua, as indigenous peoples, have rights protected by the Treaty and that consequently the Act accords iwi a status distinct from that of interest groups and members of the public; and</p> <p>(e) Recognises the right of each iwi to define their own preferences for the sustainable management of natural and physical resources, where this is not inconsistent with the Act.</p>	
<b>Policy IW 4B</b>	<p><b>Taking into account iwi and hapū resource management plans</b></p> <p>Ensure iwi and hapū resource management plans are taken into account in resource management decision making processes.</p>	<b>X</b>
<b>Policy IW 5B</b>	<p><b>Adverse effects on matters of significance to Māori</b></p> <p>When considering proposals that may adversely affect any matter of significance to Māori recognise and provide for avoiding, remedying or mitigating adverse effects on:</p> <p>(a) The exercise of kaitiakitanga;</p> <p>(b) Mauri, particularly in relation to fresh, geothermal and coastal waters, land and air;</p> <p>(c) Mahinga kai and areas of natural resources used for customary purposes;</p> <p>(d) Places sites and areas with significant spiritual or cultural historic heritage value to tangata whenua; and</p> <p>(e) Existing and zoned marae or papakāinga land.</p>	<b>X</b>
<b>Policy IW 6B</b>	<p><b>Encouraging tangata whenua to identify measures to avoid, remedy or mitigate adverse cultural effects</b></p> <p>Encourage tangata whenua to recommend appropriate measures to avoid, remedy or mitigate adverse environmental effects on cultural values, resources or sites, from the use and development activities as part of consultation for resource consent applications and in their own resource management plans.</p>	
<b>Matters of National Importance Policies</b>		
<b>Policy MN 1B</b>	<p><b>Recognise and provide for matters of national importance</b></p> <p>(a) Identify which natural and physical resources warrant recognition and provision for as matters of national importance under section 6 of the Act using criteria consistent with those contained in Appendix F of this Statement;</p> <p>(b) Recognise and provide for the protection from inappropriate subdivision, use and development of those areas, places, features or values identified in accordance with (a) in terms of natural character, outstanding natural features and landscapes, and historic heritage;</p>	<b>X</b>

	Provision	Port of Tauranga
	<ul style="list-style-type: none"> <li>(c) Recognise and provide for the protection of areas of significant indigenous vegetation and habitats of indigenous fauna identified in accordance with (a);</li> <li>(d) Recognise and provide for enhancing and maintaining public access to and along those areas identified in accordance with (a);</li> <li>(f) Recognise and provide for protection to recognised customary activities.</li> </ul>	
<b>Policy MN 2B</b>	<p><b>Giving particular consideration to protecting significant indigenous habitats and ecosystems</b></p> <p>Based on the identification of significant indigenous habitats and ecosystems in accordance with Policy MN 1B:</p> <ul style="list-style-type: none"> <li>(a) Recognise and promote awareness of the life-supporting capacity and the intrinsic values of ecosystems and the importance of protecting significant indigenous biodiversity;</li> <li>(b) Ensure that intrinsic values of ecosystems are given particular regards to in resource management decisions and operations;</li> <li>(c) Protect the diversity of the region's significant indigenous ecosystems, habitats and species including both representative and unique elements;</li> <li>(d) Manage resources in a manner that will ensure recognition of, and provision for, significant indigenous habitats and ecosystems; and</li> <li>(e) Recognise indigenous marine, lowland forest, freshwater, wetland and geothermal habitats and ecosystems, in particular, as being underrepresented in the reserves network of the Bay of Plenty.</li> </ul>	<b>X</b>
<b>Policy MN 4B</b>	<p><b>Encouraging ecological restoration</b></p> <p>Encourage ecological restoration and rehabilitation through:</p> <ul style="list-style-type: none"> <li>(a) Retention or establishment of vegetation corridors linking otherwise isolated habitats and greater use of buffer zones;</li> <li>(b) A co-ordinated and co-operative approach;</li> <li>(c) The protection of remaining habitats from further fragmentation, degradation and invasion by pests;</li> <li>(d) Non-regulatory initiatives for the restoration or rehabilitation of degraded habitats; and</li> <li>(e) The protection of ecosystems and habitats identified by the National Priorities for Biodiversity Protection on Private Land (Ministry for the Environment 2006).</li> </ul>	
<b>Policy MN 5B</b>	<p><b>Encouraging public access to and along the coast, lakes and rivers</b></p> <p>Retain or establish public access to and along the coast, lakes and rivers, giving priority to public access rights where:</p> <ul style="list-style-type: none"> <li>(a) Connections between existing public areas can be provided;</li> </ul>	

	Provision	Port of Tauranga
	<ul style="list-style-type: none"> <li>(b) Improving access would promote outdoor recreation;</li> <li>(c) Physical access for people with disabilities is desirable;</li> <li>(d) The long-term availability of public access is threatened by erosion or sea level rise;</li> <li>(e) Walking access to the coastal marine area, lakes and rivers can be provided;</li> <li>(f) Access to areas or sites of cultural significance is important to tangata whenua; and</li> <li>(g) Subdivision, use, or development of land adjacent to the coastal marine area, lakes and rivers has reduced public access, or has the potential to do so.</li> </ul>	
<b>Policy MN 6B</b>	<p><b>Restricting public access to and along the coast, lakes and rivers</b></p> <p>Restrict public access to and along the coast, lakes and rivers only where necessary to:</p> <ul style="list-style-type: none"> <li>(a) Protect public health or safety, including a consideration of existing or reasonably foreseeable conflict between uses; or</li> <li>(b) Protect dunes, estuaries, areas of sensitive indigenous vegetation and/or habitats of indigenous fauna; or</li> <li>(c) Protect threatened indigenous species in the coastal environment; or</li> <li>(d) Protect historic heritage and Māori cultural values and activities; or</li> <li>(e) Provide for temporary activities, activities for defence purposes or special events within the coastal environment; or</li> <li>(f) Provide a level of security consistent with the purpose of a resource consent; or</li> <li>(g) Achieve one or more of the objectives of this Policy Statement; or</li> <li>(h) Recognise other exceptional circumstances that are sufficient to justify a restriction.</li> </ul> <p>Before imposing a restriction on public access consider:</p> <ul style="list-style-type: none"> <li>(i) The potential adverse effects of uncontrolled access; and</li> <li>(ii) Where practicable, the provision of alternative access to the public free of charge at all times.</li> </ul>	<b>X</b>
<b>Policy MN 8B</b>	<p><b>Managing effects of subdivision, use and development</b></p> <p>Avoid and, where avoidance is not practicable, remedy or mitigate any adverse effects of subdivision, use and development on matters of national importance assessed in accordance with Policy MN 1B as warranting protection under section 6 of the Act.</p>	
<b>Urban and Rural Growth Management Policies</b>		



	Provision	Port of Tauranga
<b>Policy UG 11B</b>	<b>Managing the effects of subdivision, use and land development on infrastructure</b>  Manage the design and location of subdivision, use, and development to address potential adverse effects on the operation and upgrading of existing, consented, designated or programmed infrastructure.	

---

## **Appendix B4**

### Bay of Plenty Regional Coastal Plan

## Port of Tauranga – Bay of Plenty Regional Coastal Plan

### Objectives and Policies

Green shading within the table indicates a directive provision that may present a consenting challenge.

	Provision	Port of Tauranga
<b>Part Two – Issues and objectives for the coastal environment</b>		
<b>2.1 Integrated Management</b>		
<b>Objective 1</b>	<p>Achieve integrated management of the coastal environment by:</p> <ul style="list-style-type: none"> <li>(a) Providing a consistent, efficient and integrated management framework;</li> <li>(b) Adopting a whole of catchment approach to management of the coastal environment;</li> <li>(c) Recognising and managing the effects of land uses and freshwater-based activities (including discharges) on the coastal marine area;</li> <li>(d) Enabling the exercise of kaitiakitanga;</li> <li>(e) Planning for and managing: <ul style="list-style-type: none"> <li>(i) cumulative effects; and</li> <li>(ii) the effects of climate change;</li> </ul> </li> <li>(f) Promoting the sustainable management of the Bay of Plenty coastal fisheries; and</li> <li>(g) Providing for the future urban growth management areas identified in Appendix E of the RPS without compromising other regionally significant values of the coastal environment.</li> </ul>	<b>X</b>
<b>2.2 Natural Heritage</b>		
<b>Objective 2</b>	<p>Protect the attributes and values of:</p> <ul style="list-style-type: none"> <li>(a) Outstanding natural features and landscapes of the coastal environment; and</li> <li>(b) Areas of high, very high and outstanding natural character in the coastal environment;</li> </ul> <p>from inappropriate subdivision, use, and development, and restore or rehabilitate the natural character of the coastal environment where appropriate</p>	<b>X</b>
<b>Objective 3</b>	<p>Safeguard the integrity, form, functioning and resilience of the coastal environment and sustain its ecosystems by:</p> <p>...</p> <ul style="list-style-type: none"> <li>(c) Promoting the maintenance of indigenous biodiversity in general; and</li> <li>(d) Enhancing or restoring indigenous biodiversity where appropriate.</li> </ul>	<b>X</b>

	Provision	Port of Tauranga
<b>Objective 4</b>	Prevent the further loss of the quality and extent of rare and threatened habitats in the coastal environment of the region. These include coastal forest, seagrass beds, saltmarsh wetlands and sand dunes.	<b>X</b>
<b>Objective 5</b>	<p>Enable the restoration and rehabilitation of the natural heritage of the coastal environment, including:</p> <ul style="list-style-type: none"> <li>(a) Kaimoana resources;</li> <li>(b) Natural heritage landforms or features that would increase resilience to natural hazards, and</li> <li>(c) Degraded cultural sites which tangata whenua wish to restore for natural heritage and cultural reasons.</li> </ul>	<b>X</b>
<b>2.3 Water Quality</b>		
<b>Objective 6</b>	Development and implementation of a framework for enhancement of coastal water quality where it has deteriorated so that it is having a significant adverse effect on ecosystems, natural habitats, or water based recreational activities, or is restricting existing uses (including cultural activities) and remedying or mitigating adverse effects on areas of coastal waters that are identified as being of particular interest to tangata whenua.	
<b>Objective 8</b>	<p>Discharges of contaminants to the coastal marine area are managed to meet the following goals:</p> <ul style="list-style-type: none"> <li>(a) After reasonable mixing, discharges of contaminants meet the water quality classification of the receiving water bodies as a minimum; and have no more than minor adverse effects on aquatic life, habitats, and recreational uses.</li> <li>(b) Discharges of contaminants occur in a manner that recognises and provides for the cultural values of mana whenua acknowledged for that area.</li> <li>(c) Cumulative effects of discharges are managed in a way that recognises the sensitivity and assimilative capacity of the receiving environment.</li> </ul>	
<b>Objective 12</b>	Minimisation of the risk of adverse environmental effects associated with the storage and use of hazardous substances within the coastal marine area.	
<b>2.4 Iwi Resource Management</b>		
<b>Objective 13</b>	Take into account the principles of the Treaty of Waitangi and provide for partnerships with the active involvement of tangata whenua in management of the coastal environment when activities may affect their taonga, interests and values.	<b>X</b>
<b>Objective 14</b>	Tangata whenua are able to undertake customary activities in the coastal marine area, and access to sites used for cultural practices, gathering kaimoana, mahinga mataitai and areas of cultural significance is maintained or enhanced.	

	Provision	Port of Tauranga
<b>Objective 15</b>	The recognition and protection of those taonga, sites, areas, features, resources, attributes or values of the coastal environment (including the Coastal Marine Area) which are either of significance or special value to tangata whenua (where these are known).	
<b>Objective 16</b>	The restoration or rehabilitation of areas of cultural significance, including significant cultural landscape features and culturally sensitive landforms, mahinga mataitai, and the mauri of coastal waters, where customary activities or the ability to collect healthy kaimoana are restricted or compromised.	
<b>Objective 18</b>	Appropriate mitigation or remediation is undertaken when activities have an adverse effect on the mauri of the coastal environment, areas of cultural significance to tangata whenua or the relationship of tangata whenua and their customs and traditions with the coastal environment.	<b>X</b>
<b>2.6 Coastal Hazards</b>		
<b>Objective 21</b>	Development and activities in the coastal environment are managed to take account of the dynamic nature of coastal processes.	<b>X</b>
<b>Objective 22</b>	Development is managed to recognise the future effects of climate change and to maintain or enhance the natural biological and physical processes which occur in the coastal environment.	<b>X</b>
<b>2.8 Activities in the Coastal Marine Area</b>		
<b>Objective 25</b>	Exclusive occupation of parts of the common marine and coastal area is provided for in appropriate locations (recognising the positional requirements of some activities) for temporary or permanent activities that have a functional need to be in the coastal marine area and are incompatible with other activities.	<b>X</b>
<b>Objective 26</b>	Resources and space in the coastal marine area are used efficiently and public access is appropriately provided for.	<b>X</b>
<b>Objective 27</b>	Activities and structures that depend upon the use of natural and physical resources in the coastal marine area, or have a functional need to be located in the coastal marine area are recognised and provided for in appropriate locations, recognising the positional requirements of some activities.	<b>X</b>
<b>Objective 28</b>	The operation, maintenance and upgrade of existing regionally significant infrastructure, and transportation infrastructure that provides access to and from islands, is recognised and enabled in appropriate circumstances to meet the needs of future and present generations.	<b>X</b>
<b>Objective 29</b>	Establishment of new regionally significant infrastructure, and transportation infrastructure that provides access to and from islands, is provided for in appropriate locations, recognising the positional	<b>X</b>

	Provision	Port of Tauranga
	requirements of such activities, and any technical or operational constraints.	
<b>Objective 30</b>	Activities and structures in the coastal marine area are located, designed and undertaken in a manner that is appropriate given the values and existing uses of their location.	<b>X</b>
<b>Objective 32</b>	Inappropriate reclamation or drainage of the foreshore or seabed is avoided.	<b>X</b>
<b>Objective 36</b>	Provide for safe and efficient navigation of ships and aircraft in the coastal marine area.	
<b>Objective 42</b>	The generation of unreasonable levels of noise or light in the coastal marine area is avoided.	<b>X</b>
<b>2.10 Port Zone</b>		
<b>Objective 52</b>	The current operational needs of the Port of Tauranga are provided for as a matter of priority while avoiding, remedying or mitigating the effects of those activities on cultural values and the environment.	<b>X</b>
<b>Objective 53</b>	The future expansion and operational needs of the Port of Tauranga and its shipping channels are provided for in appropriate locations, having regard to the potential adverse effects on the environment.	<b>X</b>
<b>Part Three – Resource management policies to achieve integrated management of the coastal environment</b>		
<b>1 Integrated Resource Management (IR)</b>		
<b>Policy IR 1</b>	Recognise the potential social, cultural and economic benefits that arise from use and development of the coastal environment and the constraints to future use and development.	<b>X</b>
<b>Policy IR 2</b>	Provide for activities that have a functional need to locate in the coastal marine area in appropriate locations (recognising the positional requirements of some activities), by decision-making, zoning or use of other spatial mechanisms.	<b>X</b>
<b>2 Natural Heritage (NH)</b>		
<b>2.1.1 Appropriate use and development</b>		
<b>Policy NH 1</b>	In relation to the natural heritage of the coastal environment, activities may be considered appropriate if they contribute to the restoration and rehabilitation of natural heritage or cultural values associated with natural heritage (including kaimoana resources and cultural landscape features), or if:  (1) They:	<b>X</b>

	Provision	Port of Tauranga
	<ul style="list-style-type: none"> <li>(a) Are compatible with the existing built environment and level of modification to the environment. This includes but is not limited to: <ul style="list-style-type: none"> <li>(i) Modification that is anticipated as a permitted or controlled activity in an operative District or City Plan; and</li> <li>(ii) ...</li> </ul> </li> <li>(b) Are compact, and do not add to sprawl or sporadic development; and</li> <li>(c) Have a functional need to be located in or near the coastal environment in general, or in or near a specific part of the coastal environment and no reasonably practicable alternative locations exist; and</li> <li>(d) Are of an appropriate form, scale and design to be compatible with the existing landforms, geological features and vegetation or will only have temporary and short-term effects on such features; and</li> <li>(e) Will not, by themselves or in combination with effects of other activities, have significant adverse effects on the natural processes or ecological functioning of the coastal marine area; or</li> <li>(f) Involve the operation, maintenance, or upgrading of existing regionally significant infrastructure; and</li> </ul> <p>(2) They will not have unacceptable adverse effects on the values and attributes of an Outstanding Natural Feature and Landscape (ONFL), an area of Outstanding Natural Character (ONC) or an Indigenous Biological Area A (IBDA A) identified in Policy NH 5;</p> <p>....</p>	
<b>Policy NH 5</b>	<p>Adverse effects must be avoided on the values and attributes of the following areas:</p> <ul style="list-style-type: none"> <li>(a) Outstanding Natural Character areas (as identified in Appendix I to the RPS);</li> <li>(b) Outstanding Natural Features and Landscapes (as identified in Schedule 3);</li> <li>(c) Any Indigenous Biological Diversity Area A (as identified in Schedule 2, Table 1); and</li> </ul> <p>Adverse effects must be avoided on taxa that meet the criteria listed in Policy 11(a)(i) or (ii) of the NZCPS.</p> <p>A summary of values and attributes for areas of Outstanding Natural Character is provided in Appendix J to the RPS. Values and attributes for Indigenous Biological Diversity Area A and Outstanding Natural Features and Landscapes are set out in Schedules 2 and 3 to this Plan respectively.</p>	
<b>Policy NH 6</b>	<p>When assessing the extent and consequence of any adverse effects on the values and attributes of the areas listed in Policy NH 5 and identified in Schedules 2 and 3 to this Plan and Appendix I to the RPS:</p> <ul style="list-style-type: none"> <li>(a) Recognise the existing activities that were occurring at the time that an area was assessed as having Outstanding Natural Character, being</li> </ul>	

	Provision	Port of Tauranga
	<p>an Outstanding Natural Feature and Landscape or an Indigenous Biological Diversity Area A;</p> <p>(b) Recognise that a minor or transitory effect may not be an unacceptable adverse effect;</p> <p>(c) Recognise the potential for cumulative effects that are more than minor;</p> <p>(d) Have regard to any restoration and enhancement of the affected attributes and values, and</p> <p>(e) Have regard to the effects on the tangata whenua cultural and spiritual values of ONFLs, working, as far as practicable, in accordance with tikanga Maori.</p>	
<b>Policy NH 8</b>	<p>Significant adverse effects must be avoided, and other adverse effects avoided, remedied or mitigated, on the values and attributes of:</p> <p>...</p> <p>(b) Natural features and natural landscapes (including seascapes) in the coastal environment that are not listed as outstanding in Schedule 3.</p>	<b>X</b>
<b>Policy NH 9</b>	Significant adverse effects on natural character in areas that are not identified as outstanding in Appendix I to the RPS are to be avoided, and other adverse effects avoided remedied or mitigated.	<b>X</b>
<b>Policy NH 10</b>	Areas of indigenous biodiversity in the coastal environment not identified in Schedule 2 contribute to the overall natural character of the environment and cumulative adverse effects on these areas should be avoided, remedied or mitigated.	<b>X</b>
<b>Policy NH 11</b>	There should be no net loss as a result of subdivision, use and development of the quality and extent of established mangroves seagrass beds, saltmarsh wetlands, bird roosting sites, sand dunes and coastal forest in the areas identified in Schedule 2. Where a biodiversity offset is proposed, it should be developed in a manner consistent with the principles contained in Schedule 13.	
<b>Policy NH 12</b>	<p>There should be no net loss of the quality and extent of seagrass beds, saltmarsh wetlands and bird roosting sites in the coastal environment as a result of subdivision, use and development.</p> <p>Where a biodiversity offset is proposed, it should be developed in a manner consistent with the principles contained in Schedule 13.</p>	<b>X</b>
<b>Policy NH 13</b>	Maintain ecological interconnections that are necessary to sustain indigenous species, including migratory routes, intact ecological sequences and ecological corridors. Irreversible and other significant adverse effects on these interconnections should be avoided, including significant cumulative adverse effects; other effects should be avoided, remedied or mitigated.	
<b>Policy NH 14</b>	Recognise and provide for Maori cultural values and traditions when assessing the effects of a proposal on natural heritage, including by:	<b>X</b>



	Provision	Port of Tauranga
	<ul style="list-style-type: none"> <li>(a) Avoiding significant adverse effects, and avoiding, remedying, mitigating or offsetting other effects, on habitats of indigenous species that are important for traditional or cultural purposes; and on cultural and spiritual values associated with natural features and natural landscapes;</li> <li>(b) Avoiding, remedying or mitigating cumulative adverse effects on the cultural landscape;</li> <li>(c) Assessing whether restoration of cultural landscape features can be enabled; and</li> <li>(d) Applying the relevant Iwi Resource Management policies from this Plan and the RPS.</li> </ul>	

<b>Policy NH 15</b>	Recognise that there is limited information available on the natural heritage values and attributes of the subtidal coastal environment. A site specific assessment will be required for activities that may have an adverse effect on subtidal areas, including an assessment of whether there is any impact on values and attributes of identified natural heritage areas. A precautionary approach should be adopted if there is scientific uncertainty and the adverse effects have the potential to be serious or irreversible.
---------------------	--

### 2.1.3 Maintain

<b>Policy NH 23</b>	In the consideration of resource consents, maintain identified view shafts of the outstanding natural features and landscapes identified in Schedule 3 Outstanding Natural Features and Landscapes.	<b>X</b>
---------------------	---	----------

### 2.1.4 Promoting protection and management of existing high value areas

<b>Policy NH 24</b>	<p>To maintain or enhance natural heritage values by encouraging landowners and the community to:</p> <ul style="list-style-type: none"> <li>(a) Maintain or improve water quality in wetlands, estuaries and harbours, while recognising that wetlands themselves are natural water filtering systems;</li> <li>(b) Maintain or improve the hydrological regime, including enhancing water quantity and flows, providing for flood retention, connectivity and fluctuations of water levels;</li> <li>(c) Maintain or improve aquatic and terrestrial indigenous biodiversity;</li> <li>(d) Maintain or enhance cultural values;</li> <li>(e) Maintain or enhance amenity values;</li> <li>(f) Retain natural landforms;</li> <li>(g) Covenant or otherwise protect significant landscape and natural character areas; and</li> <li>(h) Enhance ecological interconnections that are necessary to sustain indigenous species, including migratory routes.</li> </ul>
---------------------	---

## 3 Water Quality (WQ)

	Provision	Port of Tauranga
<b>Policy WQ 2</b>	<p>To take into account the recommended actions, objectives and policies of the following documents when making decisions on the management of land and water resources, including coastal waters, in the Bay of Plenty region:</p> <p>(a) Tauranga Harbour Integrated Management Strategy;</p> <p>...</p> <p>(d) Any relevant planning document that is developed as a result of treaty of Waitangi Settlement agreements or recognitions made under the Marine and Coastal Area (Takutai Moana) Act 2011; and ...</p>	<b>X</b>
<b>4 Iwi Resource Management (IW)</b>		
<b>Policy IW 1</b>	<p>Proposals which may affect the relationship of Maori and their culture, traditions and taonga must recognise and provide for:</p> <p>(a) Traditional Maori uses, practices and customary activities relating to natural and physical resources of the coastal environment such as mahinga kai, mahinga mataitai, wahi tapu, nga toka taonga, tauranga waka, taunga ika and taiapure in accordance with tikanga Maori;</p> <p>(b) The role and mana of tangata whenua as kaitiaki of the region's coastal environment and the practical demonstration and exercise of kaitiakitanga;</p> <p>(c) The right of tangata whenua to express their own preferences and exhibit matauranga Maori in coastal management within their tribal boundaries and coastal waters; and</p> <p>(d) Areas of significant cultural value identified in Schedule 6 and other areas or sites of significant cultural value identified by Statutory Acknowledgements, iwi and hapu resource management plans or by evidence produced by tangata whenua and substantiated by pukenga, kuia and/or kaumatua; and.</p> <p>(e) The importance of Maori cultural and heritage values through methods such as historic heritage, landscape and cultural impact assessments.</p>	<b>X</b>
<b>Policy IW 2</b>	<p>Avoid and where avoidance is not practicable remedy or mitigate adverse effects on resources or areas of spiritual, historical or cultural significance to tangata whenua in the coastal environment identified using criteria consistent with those included in Appendix F set 4 to the RPS. Where adverse effects cannot be avoided, remedied or mitigated, it may be possible to provide positive effects that offset the effects of the activity.</p>	<b>X</b>
<b>Policy IW 6</b>	<p>Applications for coastal permits should include sufficient evidence of consultation with tangata whenua likely to be affected by the proposed activity or those who otherwise have tribal jurisdiction over the location of the proposed activity. Tangata whenua that may be affected by a proposal include those:</p> <p>(a) That have mana moana or mana whenua over an affected area;</p> <p>(b) That are ahi ka;</p> <p>(c) That are landowners;</p> <p>(d) Groups that have recognition under other legislation; or</p>	<b>X</b>

	Provision	Port of Tauranga
	(e) Tangata whenua who have lived in an affected area for a long time.	
<b>Policy IW 8</b>	Tangata whenua shall be involved in establishing appropriate mitigation, remediation and offsetting options for activities that have an adverse effect on areas of significant cultural value (identified in accordance with Policy IW 1(d)).	<b>X</b>
<b>Policy IW 9</b>	<p>With regard to Policy IW 8, recognise that appropriate mitigation, remediation and offsetting may include, but is not limited to, the following:</p> <ul style="list-style-type: none"> <li>(a) Restoring and protecting areas identified by tangata whenua as being of significant cultural or biodiversity value; habitat for taonga flora and fauna; or that are mahinga kai sites; or</li> <li>(b) Contributing resources (financial or otherwise) to environmental, social or cultural enhancement and improvement programmes run by affected tangata whenua; or</li> <li>(c) Providing structures associated with customary activities or access to resources of cultural value.</li> </ul>	<b>X</b>
<b>Policy IW 11</b>	<p>To avoid use and development which would restrict the access of tangata whenua to sites used for cultural practices, gathering kaimoana and areas of cultural significance in the common marine and coastal area, unless:</p> <ul style="list-style-type: none"> <li>(a) The restriction is consistent with one or more of the clauses (a) to (k) listed in Policy RA 4; or</li> <li>(b) Alternative access can specifically be provided for; or</li> <li>(c) The effects of the loss of access can be adequately remedied or mitigated.</li> </ul>	<b>X</b>
<b>5 Historic Heritage (HH)</b>		
<b>Policy HH 1</b>	<p>Protect historic heritage resources within the Bay of Plenty coastal marine area that are:</p> <ul style="list-style-type: none"> <li>(a) Entered on the New Zealand Heritage List/Rarangi Korero;</li> <li>(b) Recorded in the New Zealand Archaeological Association Site Recording Scheme;</li> <li>(c) Listed in the Regional Historic Heritage Inventory in Schedule 7;</li> <li>(d) Identified in any iwi and hapu resource management plan; or</li> <li>(e) Otherwise identified as being of significance using criteria consistent with Appendix F set 4: Maori culture and traditions or Appendix F set 5: Historic heritage to the Regional Policy Statement;</li> </ul> <p>by avoiding any adverse effects of use or development on these historic heritage resources and where avoidance is not possible, requiring information on the resources to be recorded and any adverse effects to be remedied or mitigated.</p>	

	Provision	Port of Tauranga
<b>Policy HH 2</b>	<p>When making decisions on any subdivision, use or development that may have an adverse effect on historic heritage resources in the coastal environment, regional, district and city councils shall:</p> <ul style="list-style-type: none"> <li>(a) Assess whether the historic heritage resource is of national importance in accordance with Policy MN 1B of the RPS and Appendix F set 4 and set 5;</li> <li>(b) Determine whether the activity is appropriate based on Policy MN 7B and Appendix G to the RPS;</li> <li>(c) Ensure matters of significance to Maori are managed in accordance with RPS Policies IW 2B, IW 4B, and IW 5B and the policies specific to Maori cultural heritage in Section 3 - Iwi Resource Management of this Plan; and</li> <li>(d) Ensure an integrated management approach is taken in accordance with RPS Policy IR 6B.</li> </ul>	
<b>6 Coastal Hazards (CH)</b>		
<b>6.1.1 General Approach to Coastal Hazard Management</b>		
<b>Policy CH 3</b>	<p>Despite Policy CH 2, new regionally significant infrastructure that has a functional need for a location in the coastal environment, shall, in the first instance, avoid locating in areas subject to coastal erosion or inundation; or where avoidance is not possible, shall be designed and located to mitigate to the extent practicable any potential threats to human life, property and the environment from coastal erosion or inundation.</p>	<b>X</b>
<b>6.1.2 Tsunami Hazard Risk</b>		
<b>Policy CH 13</b>	<p>When considering any new use or development within the coastal marine area that is potentially affected by tsunami; consider whether the use of risk reduction measures will assist in reducing potential impacts and facilitating recovery. Possible risk reduction measures may include, but are not limited to:</p> <ul style="list-style-type: none"> <li>(a) Navigation route planning that enables vessel evacuation;</li> <li>(b) Adoption and communication of tsunami safety protocols for marinas, ports and other areas where vessels are moored;</li> <li>(c) Signage and publicity of vessel evacuation routes;</li> <li>(d) Structural design requirements; and</li> <li>(e) Infrastructure design and location, including wharf lines and pipelines.</li> </ul>	<b>X</b>
<b>7 Recreation, public access and open space (RA)</b>		
<b>7.1.2 Public Open Space</b>		
<b>Policy RA 2</b>	<p>Protect the public open space qualities of the coastal environment by ensuring that any new activities or new facilities:</p>	<b>X</b>

	Provision	Port of Tauranga
	<ul style="list-style-type: none"> <li>(a) Have a functional need to locate in the coastal marine area or are otherwise consistent with Policy SO 1;</li> <li>(b) Recognise the national and regional significance of the coast for recreational activities, and give preference to avoiding any adverse effects on recreation opportunities, but recognising that where avoidance is not possible some adverse effects may be remedied or mitigated;</li> <li>(c) Recognise the national and regional significance of the coast for cultural activities, and give preference to avoiding adverse effects on cultural opportunities, but recognising where avoidance is not possible some effects may be remedied or mitigated.</li> <li>(d) Recognise the cumulative effect of the loss of public space at a local level;</li> <li>(e) Are designed and located to: <ul style="list-style-type: none"> <li>(i) Maximise public use and access;</li> <li>(ii) Ensure safe public access;</li> <li>(iii) Minimise any restrictions on recreational access or people's enjoyment of any foreshore and public reserve areas abutting coastal settlements; and</li> <li>(iii) Maintain or enhance walking access linkages between public open spaces in the coastal environment; and</li> <li>(iv) Minimise adverse effects on site and activities of significant cultural value.</li> </ul> </li> <li>(f) Take particular account of RPS Policies CE 5A, CE 8B(g), CE 8B(h), CE 11B(c) and CE 11B(d).</li> </ul>	

#### 7.1.4 Walking access

<b>Policy RA 4</b>	<p>Public walking access along the coastal marine area may only be restricted in the following situations, and where it is restricted the restriction should cover as small an area as possible and alternative access routes or methods should be provided:</p> <ul style="list-style-type: none"> <li>(a) To protect threatened indigenous species;</li> <li>(b) To protect significant areas of indigenous vegetation or habitats of indigenous fauna, including bird-roosting areas, shorebird nesting areas and those indigenous biological diversity areas identified in Schedule 2 that are sensitive to disturbance;</li> <li>(c) To protect sites and activities of cultural value to Maori, including for cultural events;</li> <li>(d) To protect historic heritage;</li> <li>(e) To protect any other regionally significant sites or values;</li> <li>(f) To protect public health or safety, having regard to land use and land-based activities occurring adjacent to the coastal marine area;</li> <li>(g) To avoid or reduce conflict between public uses of the coastal environment;</li> </ul>	<b>X</b>
--------------------	---	----------

	Provision	Port of Tauranga
	<ul style="list-style-type: none"> <li>(h) For management of short-term activities or special events;</li> <li>(i) For defence purposes in accordance with the Defence Act 1990;</li> <li>(j) To ensure a level of security consistent with the purposes of a resource consent;</li> <li>(k) To protect sites from erosion; or</li> <li>(l) In other exceptional circumstances sufficient to justify the restriction.</li> </ul>	
<b>Part Four – Activity-based policies and rules</b>		
<b>1 Structures and occupation of space in the Coastal Marine Area (SO)</b>		
<b>Policy SO 1</b>	<p>Recognise that the following structures are appropriate in the coastal marine area, subject to the Natural Heritage (NH) Policies, Iwi Resource Management Policy IW 2 and an assessment of adverse effects on the location:</p> <ul style="list-style-type: none"> <li>(a) Structures associated with activities that have a functional need to locate in the coastal marine area (including aquaculture); and</li> <li>(b) Structures associated with new and existing regionally significant infrastructure; or</li> <li>(c) Structures that provide for public access or recreation that is dependent on a coastal location; or</li> <li>(d) Structures associated with Existing River Schemes or Land Drainage Schemes; or</li> <li>(e) Structures associated with customary activities in the coastal marine are such as whare waka, tauranga waka or whare Wananga; or</li> <li>(f) Structures associated with use and development identified in Schedule 15 Offshore Islands.</li> </ul>	<b>X</b>
<b>Policy SO 2</b>	<p>Structures in the coastal marine area shall:</p> <ul style="list-style-type: none"> <li>(a) Be consistent with the requirements of the NZCPS, in particular Policies 6(1)(a) and 6(2);</li> <li>(b) Where relevant, be consistent with the National Policy Statement on Electricity Transmission;</li> <li>(c) Be consistent with the requirements of the RPS in relation to the Coastal Environment, in particular Policies CE 2B, CE 4A, CE 5A, CE 8B, CE 9B, CE 11B, and CE 12B;</li> <li>(d) Avoid, remedy or mitigate adverse effects on coastal hydrological and geomorphic processes;</li> <li>(e) Be designed to avoid or mitigate erosion or scour (including stormwater outfall structures);</li> <li>(f) Avoid adverse effects on navigation channels and mooring areas, while recognising structures associated with infrastructure, transportation (marine and land), public access, and structures below the seabed may be appropriate in such areas; and</li> </ul>	<b>X</b>

	Provision	Port of Tauranga
	(g) Not exceed the airport height restrictions in Tauranga Harbour identified in Map Sheets 9c, 10c, 11c, 12c, 13c, 14c and 15c.	
<b>Policy SO 3</b>	<p>Adverse effects from the use of structures in the coastal marine area:</p> <p>(a) Will be controlled to appropriate levels, having regard to the values of the site, or avoided altogether; and</p> <p>(b) Will not result in significant nuisance effects (such as noise, dust, traffic, light, glare or smell) to adjoining occupiers of the coastal marine area or nearby land, and other nuisance effects will be avoided, remedied or mitigated.</p> <p>Appropriate controls on nuisance effects will consider the district or city plan provisions relevant to the adjoining land.</p>	<b>X</b>
<b>Policy SO 5</b>	<p>Exclusive occupation of space will only be considered for activities:</p> <p>(a)</p> <p>(i) which have a functional need to locate in the coastal marine area; and</p> <p>(ii) where multiple use of the area (including public access) is not appropriate for safety reasons; and</p> <p>(ii) where, if practicable, alternative public access is provided; or</p> <p>(b) when public access restrictions are necessary in accordance with NZCPS Policy 9 or Policy 19 or RPS Policy MN 6B.</p>	<b>X</b>
<b>Policy SO 7</b>	<p>When considering the occupation of space in the common marine and coastal area, comply with the following:</p> <p>(a) The requirements of Policy 6(2) of the NZCPS;</p> <p>(b) The requirements of Policy CE 11B of the RPS;</p> <p>(c) Only impose restrictions on public walking access to or along the coastal marine area where necessary in accordance with Policy 19(3) of the NZCPS; and</p> <p>(d) Encourage the provision of public access over existing and new erosion protection structures, where appropriate to the location and public safety.</p>	<b>X</b>
<b>Policy SO 11</b>	<p>Take a precautionary approach to the storage of hazardous substances in the coastal marine area where there is scientific uncertainty and the potential for serious or irreversible effects. Risks of an activity will be assessed using the following:</p> <p>(a) Ministry for the Environment (MFE), Assessment Guide for Hazardous Facilities, March 2000;</p> <p>(b) Provisions in the district or city plan relevant to the activity and site;</p> <p>(c) Regionally available scientific information on the hazardous substances;</p>	

	Provision	Port of Tauranga
--	-----------	------------------

- (d) Regionally available scientific information and guidance on sea level rise and sea level rise predictions – as a minimum the levels of sea level rise stated in Policy CH 5 should be used; and
  - (e) The most recent New Zealand best practice guidance for defining tsunami hazard risk along with any overseas guidance as appropriate.
- Where appropriate, a precautionary approach may include an adaptive management approach.

## 2 Disturbance, deposition and extraction (DD)

**Policy DD 1** Avoid the adverse effects of disturbance and deposition within the coastal marine area caused by disposal of spoil from land-based activities.

**Policy DD 7** Activities that cause disturbance of the foreshore and seabed shall: **X**

- (a) Be undertaken at times of the day or year and using methodologies, that will avoid significant adverse effects and remedy or mitigate other adverse effects on the environment, particularly on:
  - (i) The feeding, spawning and migratory patterns of indigenous fauna, including bird roosting, nesting and feeding, and whitebait runs;
  - (ii) Indigenous ecosystems and habitats that are particularly vulnerable to modification, including: estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh; and
  - (iii) Habitats of indigenous species that are important for recreational, commercial, cultural or traditional purposes, including traditional Maori gathering, collection or harvest of kaimoana; and
- (b) Ensure that the foreshore or seabed is, as far as practicable, reinstated in a manner which is in keeping with the natural character and visual amenity of the area;
- (c) Avoid significant adverse effects on biota caused by the release of contaminants; and
- (d) Be undertaken at times of the day or year, and using methodologies, that will avoid as far as practicable, remedy or mitigate adverse effects on:
  - (i) Recreational use of the coastal marine area; and
  - (ii) Other lawfully established activities in the coastal marine area.

## 3 Coastal discharges (CD)

**Policy CD 1** Discharges to the coastal marine area must:

- (a) Avoid significant adverse effects, including cumulative effects, on aquatic life, habitats, feeding grounds, kaimoana (including shellfish gathering), ecosystems, contact recreation and amenity values in the coastal marine area after reasonable mixing;



	Provision	Port of Tauranga
	<ul style="list-style-type: none"> <li>(b) Minimise adverse effects on the life-supporting capacity of water within the mixing zone;</li> <li>(c) Avoid the discharge of persistent toxic contaminants into the environment, and where avoidance cannot be practically achieved, the adverse effects of such discharges must be mitigated or remedied;</li> <li>(d) Avoid, remedy or mitigate adverse effects on the stability of the coastal environment, including localised erosion and scour resulting from the discharge;</li> <li>(e) Maintain or enhance the physical characteristics of receiving waters (including salinity) that contribute to their life supporting capacity, including their ability to support indigenous flora and fauna and kaimoana beds; and</li> <li>(f) Be of a quality that has particular regard to: <ul style="list-style-type: none"> <li>(i) The sensitivity of the receiving environment;</li> <li>(ii) The capacity of the receiving environment to assimilate contaminants; and</li> <li>(iii) The nature of the contaminants to be discharged, the concentration of contaminants needed to achieve the required water quality in the receiving environment, and the risks if that concentration of contaminants is exceeded.</li> </ul> </li> </ul>	
<b>Policy CD 13</b>	Prevent the disposal of hazardous substances to the coastal marine area.	<b>X</b>
<b>4 Reclamation (RM)</b>		
<b>Policy RM2</b>	<p>Only consider granting consent for reclamation of land in the coastal marine area where all of the following criteria are met:</p> <ul style="list-style-type: none"> <li>(a) Land outside the coastal marine area is not available for the proposed activity;</li> <li>(b) The activity which requires reclamation can only occur in or adjacent to the coastal marine area;</li> <li>(c) The reclamation will avoid significant adverse effects on kaimoana beds;</li> <li>(d) There are no practicable alternative methods of providing the activity;</li> <li>(e) The reclamation will provide significant regional or national benefit. In particular, the extent to which the reclamation and intended purpose would provide for the efficient operation of infrastructure, including ports, airports, coastal roads, pipelines, electricity transmission, railways and ferry terminals, and of marinas and electricity generation; and</li> <li>(f) When the proposal incorporates declamation of land in another location or other off-site activities that will offset any significant adverse effects of the reclamation on natural heritage, cultural and amenity values, the offset must achieve no net loss and preferably a net gain in the affected values.</li> </ul>	<b>X</b>

	Provision	Port of Tauranga
<b>Policy RM 3</b>	<p>Where reclamation is considered to be a suitable use of the coastal marine area, in considering its form and design, the consent authority will have particular regard to:</p> <ul style="list-style-type: none"> <li>(a) The potential effects on the site of climate change, including sea level rise, over no less than 100 years;</li> <li>(b) The shape of the reclamation, and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast;</li> <li>(c) The use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area;</li> <li>(d) Whether the reclamation includes provision for public access, including access to and along the coastal marine area at high tide where practicable, unless a restriction on public access is appropriate as provided for in Policy 19 of the NZCPS;</li> <li>(e) The ability to remedy or mitigate adverse effects on the coastal environment;</li> <li>(f) Whether the proposed activity will affect cultural landscapes and sites of significance to tangata whenua; and</li> <li>(g) The ability to avoid consequential erosion and accretion, and other natural hazards.</li> </ul>	<b>X</b>
<b>Policy RM 4</b>	Discourage the proliferation of new reclamations and encourage the efficient use of existing land and reclamation as alternatives to new reclamations.	<b>X</b>
<b>Policy RM 5</b>	<p>Reclamations must:</p> <ul style="list-style-type: none"> <li>(a) Be constructed of inert materials which will not result in contaminants leaching into the coastal marine area;</li> <li>(b) Be finished with materials which are compatible with the amenity values, landscape and natural character of the coastal environment in the location;</li> <li>(c) Be designed by an engineer to a high standard of structural integrity; and</li> <li>(d) Not impede the flow of floodwater.</li> </ul>	<b>X</b>
<b>9 Port Zone (PZ)</b>		
<b>Policy PZ 1</b>	Recognise that the Port of Tauranga is pivotal to the regional economy and a significant component of the national economy, and that its continued operation is of national significance.	<b>X</b>
<b>Policy PZ 2</b>	Recognise that provision for the development of additional shipping capacity, including capital dredging, in appropriate locations is important to the continued efficient operation of the Port of Tauranga.	<b>X</b>

	Provision	Port of Tauranga
<b>Policy PZ 3</b>	Recognise that the structures, and capital dredging identified in Schedule 9 – Outline Development Plan Port of Tauranga, are appropriate within the Port Zone, subject to appropriate management of adverse effects.	<b>X</b>
<b>Policy PZ 4</b>	Recognise that maintenance dredging within the Port Zone is necessary for the continued operation of the Port, and is appropriate where it is to provide for the purpose of the Port Zone as described in Policy PZ 5.	<b>X</b>
<b>Policy PZ 5</b>	Provide for activities that are consistent with the purpose of the Port Zone, which is to: <ul style="list-style-type: none"> <li>(a) Enable efficient use of existing port area, so that the regional community may meet its social and economic needs;</li> <li>(b) Concentrate major new structural development in an area already modified, so that development is guided away from other coastal areas of higher natural character, natural landscape, recreational value, and cultural value;</li> <li>(c) Minimise potential conflict between port activities or port related activities and other activities; and</li> <li>(d) Enable efficient and ongoing storage of vessels in the Tauranga Bridge Marina.</li> </ul>	<b>X</b>
<b>Policy PZ 6</b>	Provide for the use and development of existing port-related activities where these do not significantly conflict with the achievement of the purpose set out in Policy PZ 5 or compromise the operation of the Port of Tauranga or Port activities.	<b>X</b>
<b>Policy PZ 9</b>	New deposition sites in the coastal marine area (additional to those in Schedule 9 – Outline Development Plan Port of Tauranga) shall meet the requirements of Policy DD 12 of Section 2.1 – Disturbance, Deposition and Extraction.	<b>X</b>
<b>Policy PZ 10</b>	Manage noise from the Port of Tauranga using the Port Zone noise control boundary and appropriate standards.	<b>X</b>
<b>Policy PZ 11</b>	Consultation and engagement with the iwi of Ngati Ranginui, Ngaiterangi and Ngati Pukenga and hapu groups that have a recognised relationship with Tauranga Harbour (Te Awanui) shall be undertaken during development of any proposals that involve capital works, other than any structure or building, excluding the Sulphur Point North End Berth shown on Map 270-27C contained in Schedule 9 to this Plan, within the area that the Port of Tauranga Limited has been granted a section 384A occupation permit.	<b>X</b>
<b>Policy PZ 12</b>	Recognise that reclamation identified in Schedule 9 – Outline Development Plan Port of Tauranga is appropriate in terms of Policy PZ 13 of this Plan and Policy 10 of the NZCPS, provided that any adverse effects are appropriately managed, including by use of off-site mitigation.	<b>X</b>
<b>Policy PZ 13</b>	The consent authority will have particular regard to the following matters when considering the form and design of reclamations in the Port Zone:	<b>X</b>

	Provision	Port of Tauranga
	<ul style="list-style-type: none"> <li>(a) The potential effects on the site of climate change, including sea level rise, over no less than 100 years,</li> <li>(b) The shape of the reclamation, and, where appropriate, whether the materials used are visually and aesthetically compatible with the adjoining coast,</li> <li>(c) The use of materials in the reclamation, including avoiding the use of contaminated materials that could significantly adversely affect water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area,</li> <li>(d) The ability to remedy, mitigate or off-set significant adverse effects on the coastal environment,</li> <li>(e) Whether the proposed activity will affect sites of significance to Ngati Ranginui, Ngai Te Rangi and Ngati Pukenga, and</li> <li>(f) The ability to avoid consequential erosion and accretion, and other natural hazards.</li> </ul>	
<b>Policy PZ 14</b>	<p>Recognise that:</p> <ul style="list-style-type: none"> <li>(a) ASCV 4A and the shipping channels overlap, and that the extent of the shipping channel shown on ASCV 4A is the toe line and that the batter slopes formed will be within Te Paritaha O Te Awanui as will the necessary channel markers; and</li> <li>(b) Te Paritaha O Te Awanui is situated in a natural dynamic environment that changes and shifts over time.</li> </ul>	<b>X</b>
<b>10 Noise (NS)</b>		
<b>Policy NS 3</b>	In the coastal marine area outside the Tauranga Harbour, Port Zone and Ohiwa Harbour, apply best management practices to manage noise, except in relation to Policy NS 4.	

## **Appendix B5**

### Tauranga City Plan

## Tauranga City Plan – Objectives and Policies

Green shading within the table indicates a directive provision that may present a consenting challenge.

Provision		Port of Tauranga
<b>6A.1 Objectives and Policies for the Natural Features and Landscapes Provisions</b>		
<b>6A.1.7 Objective</b>	<b>Harbour Environment Landscape Character</b>  The landscape character values of the City's harbour environment is maintained and enhanced.	<b>X</b>
<b>6A.1.7.1 Policy</b>	<b>Maintenance and Enhancement of Landscape Character of the Harbour Environment</b>  By ensuring that subdivision, use and development along the margins of Tauranga Harbour does not adversely affect the landscape character values of that environment by: <ul style="list-style-type: none"> <li>a) Maintaining and enhancing the characteristics and elements that determine the amenity of the surrounding area;</li> <li>b) Ensuring the bulk and scale of built form is compatible with the character of the harbour environment;</li> <li>c) Ensuring the landscape treatment is compatible with the character of the harbour environment;</li> <li>d) Maintaining and enhancing amenity between different land uses by screening, buffering or otherwise providing an appropriate interface treatment;</li> <li>e) Achieving a high amenity interface between private and public space;</li> <li>f) Maintaining and enhancing the natural character interface between urbanised and harbour margins environment;</li> <li>g) Protecting areas of cultural value;</li> <li>h) Avoiding built form of a scale that dominates the harbour's landscape character;</li> <li>i) Siting buildings, structures, infrastructure and services to avoid or minimise visual impacts on the harbour margins environment;</li> <li>j) Selecting materials and colours for external surfaces that assist in integrating the built form into the adjoining harbour environment;</li> <li>k) Maintaining and enhancing indigenous vegetation, notable trees and heritage trees;</li> <li>l) Managing the interface between urban activities and adjoining landscapes to maintain the integrity of identified outstanding natural features and landscapes and important amenity landscapes; and</li> <li>m) Ensuring activities maintain and enhance the factors, values and associations of outstanding natural features and landscapes and/or important amenity landscapes.</li> </ul>	<b>X</b>

	Provision	Port of Tauranga
<b>6A.1.8 Objective</b>	<b>Interface with the Coastal Marine Area (being MHWS), Outstanding Natural Features and Landscapes and Important Amenity Landscapes</b>  The open space character of the coastal marine area and the factors, values and associations of outstanding natural features and landscapes and important amenity landscapes and their margins is maintained and enhanced.	<b>X</b>
<b>6A.1.8.1 Policy</b>	<b>Interface with the Coastal Marine Area (being MHWS), Outstanding Natural Features and Landscapes and Important Amenity Landscapes</b>  By ensuring that buildings, structures and activities along the margins of the coastal marine area, outstanding natural features and landscapes and important amenity landscapes do not compromise the natural character, factors, values and associations of the those areas, through: <ul style="list-style-type: none"> <li>a) The impact of the bulk and scale of buildings, structures and activities on the amenity of the environment;</li> <li>b) Significant modification of the existing landform or topography and the extent of earthworks;</li> <li>c) Development being of a size or proportion beyond the capacity of the site and surrounding area being able to absorb that development;</li> <li>d) Buildings, structures and activities detracting from the existing open space character and the factors, values and associations of outstanding natural features and landscapes and important amenity landscapes and their margins; and</li> <li>e) The effects on indigenous and exotic flora and fauna, with an overall goal to retain existing vegetation patterns and enhance those patterns around the outstanding natural features and landscapes and important amenity landscapes and their margins through mitigation planting.</li> </ul>	<b>X</b>
<b>6A.1.11 Objective</b>	<b>Identification and Protection of Views to Mauao</b>  Views to Mauao are identified and protected from obstruction by buildings and structures.	<b>X</b>
<b>6A.1.11.1 Policy</b>	<b>Views to Mauao</b>  By ensuring that buildings and structures do not obstruct or impede the identified views of outstanding natural features and landscapes from public and historic places, beyond the building height provided for under the Plan, in accordance with Appendix 6C: Views to Outstanding Natural Features and Landscapes, and identified in the Plan Maps (Part B).	<b>X</b>
<b>13A.4 Objectives and Policies of the Open Space Zones</b>		
<b>13A.4.1 Objective</b>	<b>Open Space Role and Function</b>  The maintenance, enhancement and development of Open Space provides for a wide range of recreational, community and active living opportunities.	<b>X</b>

	Provision	Port of Tauranga
<b>13A.4.1.1 Policy</b>	<p><b>Open Space Role and Function</b></p> <p>By providing for the maintenance, enhancement and development of Open Space through:</p> <ul style="list-style-type: none"> <li>a) Identifying open space areas that cater to the needs of: <ul style="list-style-type: none"> <li>i) Local neighbourhood reserves (Passive Open Space);</li> <li>ii) The City (Active Open Space);</li> <li>iii) The sub-region (Active Open Space (Major)); and</li> <li>iv) Special Uses (Scheduled Sites);</li> </ul> </li> <li>b) Identifying areas with natural character, ecological and conservation values (Conservation);</li> <li>c) Enabling a wide range of recreational, community and active living opportunities that caters to the needs of users to occur across each zone;</li> <li>d) Creating a safe physical environment by applying the following principles to use and development: <ul style="list-style-type: none"> <li>i) Open space areas are well-defined and provide for convenient and safe movement without compromising security;</li> <li>ii) All publicly accessible areas are overlooked, and with clear sightlines and lighting providing maximum visibility;</li> <li>iii) Design Open space areas so the level of human activity is appropriate to the areas' location and purpose, deters crime and creates a sense of safety.</li> </ul> </li> </ul>	<b>X</b>
<b>13A.4.2 Objective</b>	<p><b>Recognition of Reserve Management Plans</b></p> <p>The development of Open Space is in accordance with approved Reserve Management Plans.</p>	<b>X</b>
<b>13A.4.2.1 Policy</b>	<p><b>Recognition of Reserve Management Plans</b></p> <p>By ensuring that objectives, policies, actions and relevant development/landscape concept plans of an approved Reserve Management Plan are recognised and provided for through open space management and development.</p>	<b>X</b>
<b>13A.4.3 Objective</b>	<p><b>Bulk and Scale of Buildings and Structures</b></p> <p>Buildings and structures are of a bulk and scale that is compatible with the surrounding environment.</p>	<b>X</b>
<b>13A.4.3.1 Policy</b>	<p><b>Bulk and Scale of Buildings and Structures</b></p> <p>By ensuring that the bulk and scale of buildings and structures in the Open Space Zones:</p> <ul style="list-style-type: none"> <li>a) Is restricted to a bulk and scale that: <ul style="list-style-type: none"> <li>i) Avoids the impacts of building bulk and overshadowing on surrounding independent dwelling units, or activities including their outdoor living areas;</li> </ul> </li> </ul>	<b>X</b>



Provision		Port of Tauranga
	<ul style="list-style-type: none"> <li>ii) Ensures an adequate supply of daylight to adjacent sites to minimise overshadowing;</li> <li>iii) Provides a level of amenity consistent with the surrounding landscape character.</li> </ul>	
	b) Provides for larger buildings and structures on land zoned Active Open Space and Active Open Space (Major).	
<b>13A.4.4 Objective</b>	<b>Site Layout and Building Design</b>  Development within Open Space Zones provides for an amenity consistent with the landscape character of the surrounding area.	<b>X</b>
<b>13A.4.4.1 Policy</b>	<b>Site Layout and Building Design</b>  By ensuring the layout and design of development in the Open Space Zones: <ul style="list-style-type: none"> <li>a) Provides building setbacks between sites that ensure a physical separation of buildings between sites and limits the impact of building bulk on adjoining sites;</li> <li>b) Retains the majority of the site as Open Space; and</li> <li>c) Ensures that buildings are setback from the road boundary to provide a consistent streetscape that provides opportunities for landscape planting.</li> </ul>	<b>X</b>
<b>13A.4.5 Objective</b>	<b>Open Space Character</b>  The open space character of the City's reserves is maintained and enhanced.	<b>X</b>
<b>13A.6 Objectives and Policies of Scheduled Sites</b>		
<b>13A.6.1.1 Policy</b>	<b>Recreation and Leisure Scheduled Sites</b>  ... <ul style="list-style-type: none"> <li>d) Land scheduled as the Tauranga Bridge Marina, Tauranga Marina and Marine Park has regard to: <ul style="list-style-type: none"> <li>i) The provision for limited commercial and non-commercial activities opportunities that relate to recreational marine activities;</li> <li>ii) The provision for recreation and leisure opportunities;</li> <li>iii) The retention of public access to and along the margins of the Tauranga Harbour;</li> <li>iv) Landscape planting to ensure the mitigation of visual effect on the surrounding environment, including the site's interface with the State Highway network;</li> <li>v) Traffic management measures to ensure the safe and efficient use of the transport network.</li> </ul> </li> </ul>	<b>X</b>

Provision		Port of Tauranga
<b>17A.5 Objectives and Policies of the Commercial Zones</b>		
<b>17A.5.1 Objective</b>	<b>Network of Commercial Centres</b>  A network of vibrant, convenient and accessible commercial centres which are closely aligned with public transport, walking and cycling opportunities, and serve as social, economic and cultural focal points for the community.	<b>X</b>
<b>17A.5.1.1 Policy</b>	<b>Network of Commercial Centres</b>  By encouraging business activities, together with associated civic, cultural, educational and entertainment uses, to consolidate within Commercial Zones of various functions and scale.	<b>X</b>
<b>18A.5 Objectives and Policies of the Industrial Zones</b>		
<b>18A.5.1 Objective</b>	<b>Location of Industrial Land Use</b>  Industrial land use and development is clustered in specific locations throughout the City to provide convenient and efficient access to the transport network, avoid conflict with sensitive land use, and provide for both efficiency and a choice of means of access for employees.	<b>X</b>
<b>18A.5.1.1 Policy</b>	<b>New Industrial Zones or Industrial Activities Outside of Industrial Zones</b>  Ensuring that Plan changes for new industrial areas or the establishment of industrial activities outside Industrial Zones do not compromise: <ul style="list-style-type: none"> <li>a) The amenity of surrounding areas and the local environment;</li> <li>b) The mitigation of the effects of industrial activities outside Industrial Zones through efficient location;</li> <li>c) Achieving co-ordinated development through reference to Urban Growth Plans where these apply;</li> <li>d) The purpose and amenity of the zone within which the activity or new area is proposed;</li> <li>e) Provision of convenient and efficient access for employees and customers of activities in Industrial Zones;</li> <li>f) Efficient servicing of Industrial Zones as outlined in 12G – Purpose of Service and Infrastructure Provisions of the Plan; and</li> <li>g) The ability to ensure that sensitive environments downstream of industrial areas are protected from the adverse effects of industrial activities and associated infrastructure requirements.</li> </ul>	<b>X</b>
<b>18A.5.1.2 Policy</b>	<b>Efficiency of the Transport Network</b>  By ensuring that impacts on the <i>transport network</i> and <i>sensitive zones</i> are minimised by providing for industrial land use within <i>Industrial Zones</i> that: <ul style="list-style-type: none"> <li>a) Are located near to main roads, rail and sea transport routes;</li> <li>b) Provide efficient access to and for employees; and</li> </ul>	<b>X</b>

Provision		Port of Tauranga
	c) Provide efficient integration with the <i>transport network</i> consistent with the objectives and policies described in <i>Chapter 4 – General Rules Provisions of the Plan</i> .	
<b>18A.5.2 Objective</b>	<b>Provision for Industrial Land Use</b>  A range of consolidated industrial environments where industrial and complementary activities are encouraged and operate in an environment with an amenity and character that results from the effects of these activities.	<b>X</b>
<b>18A.5.2.1 Policy</b>	<b>Provision for Industrial Land Use</b>  By providing Industrial Zones for a variety of industrial and complementary uses, thereby facilitating the coordination of industrial land use and development, and through these locations avoid these uses impacting on the amenity of non-industrial urban and rural areas.	<b>X</b>
<b>18A.5.3.6 Policy</b>	<b>Offensive Trades</b>  By ensuring that offensive trades do not cause unreasonable effects on the amenity of industrial areas or the wider environment.	<b>X</b>
<b>18A.7 Objectives and Policies for the Port Industry Zone</b>		
<b>18A.7.1 Objective</b>	<b>Bulk and Scale of Buildings in the Port Industry Zone</b>  The infrastructural and operational needs of the Port of Tauranga are provided for as a matter of priority while limiting the effects of those <i>activities</i> on <i>landscape character</i> and the <i>environment</i> .	<b>X</b>
<b>18A.7.1.1 Policy</b>	<b>Bulk and Scale of Buildings in the Port Industry Zone</b>  By providing for the operational needs of the Port within defined limits that minimise the impacts of <i>activities</i> and <i>structures</i> within the Port Industry Zone on <i>landscape character</i> .	<b>X</b>
<b>18A.7.2 Objective</b>	<b>Activities in the Port Industry Zone</b>  The limited area available for <i>activities</i> that rely on proximity to the harbour and <i>infrastructure</i> of the Port is retained for <i>activities</i> that rely on that <i>infrastructure</i> or support those <i>activities</i> .	<b>X</b>
<b>18A.7.2.1 Policy</b>	<b>Activities in the Port Industry Zone</b>  a) By providing for business <i>activities</i> that rely on proximity to the limited resource of the harbour margin and Port <i>infrastructure</i> , together with complementary <i>activities</i> , while ensuring that <i>activities</i> that do not require such location are directed to other areas of <i>the City</i> ,  b) Through managing risk and public safety associated with Port <i>activities</i> , and in particular minimising those potential conflicts arising, individually or cumulatively, as a result of sensitive land use <i>activities</i> near hazardous facilities.	<b>X</b>

Provision		Port of Tauranga
<b>18A.10 Objectives and Policies for Scheduled Sites</b>		
<b>18A.10.4 Objective</b>	<b>Cross Road Nautilus Scheduled Site</b>  The effects of the development of the Cross Road Nautilus Scheduled Site on the surrounding environment are avoided or mitigated.	<b>X</b>

## **Appendix B6**

### Auckland Regional Policy Statement

## Auckland Regional Policy Statement Provisions

Green shading within the table indicates a directive provision that may present a consenting challenge.

CHAPTER B – REGIONAL POLICY STATEMENT								
	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>B2</b>	<b>Urban</b>							
<b>B2.2.1 Objectives</b>	4) Urbanisation is contained within the Rural Urban Boundary, towns, and rural and coastal towns and villages.						X	
<b>B2.2.2 Policies</b>	<p>Development capacity and supply of land for urban development</p> <p>(1) Include sufficient land within the Rural Urban Boundary that is appropriately zoned to accommodate at any one time a minimum of seven years' projected growth in terms of residential, commercial and industrial demand and corresponding requirements for social facilities, after allowing for any constraints on subdivision, use and development of land.</p> <p>(2) Ensure the location or any relocation of the Rural Urban Boundary identifies land suitable for urbanisation in locations that:</p> <p>(a) promote the achievement of a quality compact urban form</p> <p>(b) enable the efficient supply of land for residential, commercial and industrial activities and social facilities;</p>						X	

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(c) integrate land use and transport supporting a range of transport modes;</li> <li>(d) support the efficient provision of infrastructure;</li> <li>(e) provide choices that meet the needs of people and communities for a range of housing types and working environments; and</li> <li>(f) follow the structure plan guidelines as set out in Appendix 1;</li> </ul> <p>while:</p> <ul style="list-style-type: none"> <li>(g) protecting natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character;</li> <li>(h) protecting the Waitākere Ranges Heritage Area and its heritage features;</li> <li>(i) ensuring that significant adverse effects from urban development on receiving waters in relation to natural resource and Mana Whenua values are avoided, remedied or mitigated;</li> <li>(j) avoiding elite soils and avoiding where practicable prime soils which are significant for their ability to sustain food production;</li> <li>(k) avoiding mineral resources that are commercially viable;</li> </ul>							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(l) avoiding areas with significant natural hazard risks and where practicable avoiding areas prone to natural hazards including coastal hazards and flooding; and</li> <li>(m) aligning the Rural Urban Boundary with: <ul style="list-style-type: none"> <li>(i) strong natural boundaries such as the coastal edge, rivers, natural catchments or watersheds, and prominent ridgelines; or</li> <li>(ii) where strong natural boundaries are not present, then other natural elements such as streams, wetlands, identified outstanding natural landscapes or features or significant ecological areas, or human elements such as property boundaries, open space, road or rail boundaries, electricity transmission corridors or airport flight paths.</li> </ul> </li> </ul> <p>(3) Enable rezoning of future urban zoned land for urbanisation following structure planning and plan change processes in accordance with Appendix 1 Structure plan guidelines.</p> <p><i>Quality compact urban form</i></p> <p>(4) Promote urban growth and intensification within the urban area 2016 (as identified in Appendix 1A), enable urban growth and intensification within the Rural Urban Boundary, towns, and rural and coastal towns and villages, and avoid urbanisation outside these areas.</p> <p>(5) Enable higher residential intensification:</p> <ul style="list-style-type: none"> <li>(a) in and around centres;</li> </ul>							



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(b) along identified corridors; and</li> <li>(c) close to public transport, social facilities (including open space) and employment opportunities.</li> </ul> <p>(6) Identify a hierarchy of centres that supports a quality compact urban form:</p> <ul style="list-style-type: none"> <li>(a) at a regional level through the city centre, metropolitan centres and town centres which function as commercial, cultural and social focal points for the region or sub-regions; and</li> <li>(b) at a local level through local and neighbourhood centres that provide for a range of activities to support and serve as focal points for their local communities.</li> </ul> <p>(8) Enable the use of land zoned future urban within the Rural Urban Boundary or other land zoned future urban for rural activities until urban zonings are applied, provided that the subdivision, use and development does not hinder or prevent the future urban use of the land.</p> <p>(9) Apply a Rural Urban Boundary for Waiheke Island (identified in Appendix 1B) as a regional policy statement method.</p>							
<b>B2.5.1 Objectives</b>	<ul style="list-style-type: none"> <li>(1) Employment and commercial and industrial opportunities meet current and future demands.</li> <li>(2) Commercial growth and activities are primarily focussed within a hierarchy of centres and identified growth corridors that supports a compact urban form.</li> </ul>						X	

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(3) Industrial growth and activities are enabled in a manner that does all of the following:</p> <ul style="list-style-type: none"> <li>(a) promotes economic development;</li> <li>(b) promotes the efficient use of buildings, land and infrastructure in industrial zones;</li> <li>(c) manages conflicts between incompatible activities;</li> <li>(d) recognises the particular locational requirements of some industries; and</li> <li>(e) enables the development and use of ManaWhenua's resources for their economic well-being.</li> </ul>							
<b>B2.5.2 Policies</b>	<p>(1) Encourage commercial growth and development in the city centre, metropolitan and town centres, and enable retail activities on identified growth corridors, to provide the primary focus for Auckland's commercial growth.</p> <p>(2) Support the function, role and amenity of centres by encouraging commercial and residential activities within centres, ensuring development that locates within centres contributes to the following:</p> <ul style="list-style-type: none"> <li>(a) an attractive and efficient urban environment with a distinctive sense of place and quality public places;</li> <li>(b) a diverse range of activities, with the greatest mix and concentration of activities in the city centre;</li> </ul>						<b>X</b>	

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(c) a distribution of centres that provide for the needs of people and communities;</p> <p>(d) employment and commercial opportunities;</p> <p>(e) a character and form that supports the role of centres as focal points for communities and compact mixed-use environments;</p> <p>(f) the efficient use of land, buildings and infrastructure;</p> <p>(g) high-quality street environments including pedestrian and cycle networks and facilities; and</p> <p>(h) development does not compromise the ability for mixed use developments, or commercial activities to locate and expand within centres.</p> <p>(7) Enable the supply of land for industrial activities, in particular for land-extensive industrial activities and for heavy industry in areas where the character, scale and intensity of the effects from those activities can be appropriately managed.</p> <p>(8) Enable the supply of industrial land which is relatively flat, has efficient access to freight routes, rail or freight hubs, ports and airports, and can be efficiently served by infrastructure.</p>							
<b>B3</b>	<b>Ngā pūnaha hanganga, kawekawe me ngā pūngao - Infrastructure, transport and energy</b>							
	(1) Infrastructure is resilient, efficient and effective.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>Infrastructure B3.2.1. Objectives</b>	(2) The benefits of infrastructure are recognised, including:	X	X	X	X	X	X	X
	<ul style="list-style-type: none"> <li>(a) providing essential services for the functioning of communities, businesses and industries within and beyond Auckland;</li> <li>(b) enabling economic growth;</li> <li>(c) contributing to the economy of Auckland and New Zealand;</li> <li>(d) providing for public health, safety and the well-being of people and communities;</li> <li>(e) protecting the quality of the natural environment; and</li> <li>(f) enabling interaction and communication, including national and international links for trade and tourism.</li> </ul>							
	(3) Development, operation, maintenance, and upgrading of infrastructure is enabled, while managing adverse effects on:	X	X	X	X	X	X	X
	<ul style="list-style-type: none"> <li>(a) the quality of the environment and, in particular, natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character; and</li> <li>(b) the health and safety of communities and amenity values.</li> </ul>							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(4) The functional and operational needs of infrastructure are recognised.	X	X	X	X	X	X	X
	(5) Infrastructure planning and land use planning are integrated to service growth efficiently.	X	X	X	X	X	X	X
	(6) Infrastructure is protected from reverse sensitivity effects caused by incompatible subdivision, use and development.	X	X	X	X	X	X	X
	(7) The national significance of the National Grid is recognised and provided for and its effective development, operation, maintenance and upgrading are enabled.							
	(8) The adverse effects of infrastructure are avoided, remedied or mitigated.	X	X	X	X	X	X	X
<b>B3.2.2. Policies</b>	<b>Provision of infrastructure</b>							
	(1) Enable the efficient development, operation, maintenance and upgrading of infrastructure.	X	X	X	X	X	X	X
	(2) Recognise the value of investment in existing infrastructure.	X	X	X	X	X	X	X
	(3) Provide for the locational requirements of infrastructure by recognising that it can have a functional or operational need to be located in areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural	X	X	X	X	X	X	X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	resources, coastal environment, historic heritage and special character.							
	Reverse sensitivity	X	X	X	X	X	X	X
	(4) Avoid where practicable, or otherwise remedy or mitigate, adverse effects of subdivision, use and development on infrastructure.							
	(5) Ensure subdivision, use and development do not occur in a location or form that constrains the development, operation, maintenance and upgrading of existing and planned infrastructure.							
	Managing adverse effects	X	X	X	X	X	X	X
	(6) Enable the development, operation, maintenance and upgrading of infrastructure in areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character while ensuring that the adverse effects on the values of such areas are avoided where practicable or otherwise remedied or mitigated.							
	(7) Encourage the co-location of infrastructure and the shared use of existing infrastructure corridors where this is safe and satisfies operational and technical requirements.	X	X	X	X	X	X	X
	(8) Avoid, remedy or mitigate the adverse effects from the construction, operation, maintenance or repair of infrastructure.	X	X	X	X	X	X	X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>Transport B3.3.1. Objectives</b>	(1) Effective, efficient and safe transport that:	X	X	X	X	X	X	X
	(a) supports the movement of people, goods and services;							
	(b) integrates with and supports a quality compact urban form;							
	(c) enables growth;							
	(d) avoids, remedies or mitigates adverse effects on the quality of the environment and amenity values and the health and safety of people and communities; and							
	(e) facilitates transport choices, recognises different trip characteristics and enables accessibility and mobility for all sectors of the community							
<b>B3.3.2. Policies</b>	<b>Managing transport infrastructure</b>							
	(1) Enable the effective, efficient and safe development, operation, maintenance and upgrading of all modes of an integrated transport system.	X	X	X	X	X	X	X
	(2) Enable the movement of people, goods and services and ensure accessibility to sites.							
	(3) Identify and protect existing and future areas and routes for developing Auckland's transport infrastructure.	X	X	X	X	X	X	X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(4) Ensure that transport infrastructure is designed, located and managed to:	X	X	X	X	X	X	X
	(a) integrate with adjacent land uses, taking into account their current and planned use, intensity, scale, character and amenity; and							
	(b) provide effective pedestrian and cycle connections.							
<b>B4</b>	<b>Te Tiaki Taonga Tuku iho – Natural heritage</b>							
<b>B4.2.1 Objectives</b>	(1) Outstanding natural features and landscapes are identified and protected from inappropriate subdivision, use and development.	X	X		X			
	(2) The ancestral relationships of Mana Whenua and their culture and traditions with the landscapes and natural features of Auckland are recognised and provided for.	X	X	X	X	X	X	X
	(3) The visual and physical integrity and the historic, archaeological and cultural values of Auckland's volcanic features that are of local, regional, national and/or international significance are protected and, where practicable, enhanced.							
<b>4.2.2 Policies</b>	(1) Identify and evaluate a place as an outstanding natural landscape considering the following factors:							
	(a) natural science factors: geology, topography, hydrology, vegetation cover, ecology and natural processes;							



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(b) expressiveness/legibility: including the degree to which the landscape reveals its formative processes; (c) aesthetic values and memorability: including landmarks and significant views; (d) perceptions of naturalness: related to human influences, the presence of buildings and structures or landform modification; (e) transient landscape values: including those related to natural processes, such as seasonal change and the presence of wildlife; (f) shared and recognised values: including the public profile and recognition of particular landscapes; (g) Mana Whenua: the value of the landscape to Mana Whenua; (h) historical: the landscape's known historical associations.							
	(2) Include a place identified as an outstanding natural landscape in Schedule 7 Outstanding Natural Landscapes Overlay Schedule.							
	(3) Protect the physical and visual integrity of Auckland's outstanding natural landscapes from inappropriate subdivision, use and development.	X	X					
	<i>Identify, evaluate and protect outstanding natural features</i>	X	X					

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
--	-----------	--------------	----------------	-----------------	---------	----------	-------------------	-------------------

- (4) Identify and evaluate a place as an outstanding natural feature considering the following factors:
- (a) the extent to which the landform, feature or geological site contributes to the understanding of the geology or evolution of the biota in the region, New Zealand or the earth, including type localities of rock formations, minerals and fossils;
  - (b) the rarity or unusual nature of the site or feature;
  - (c) the extent to which the feature is an outstanding representative example of the diversity of Auckland's natural landforms and geological features;
  - (d) the extent to which the landform, geological feature or site is part of a recognisable group of features;
  - (e) the extent to which the landform, geological feature or site contributes to the value of the wider landscape;
  - (f) the extent of community association with, or public appreciation of, the values of the feature or site;
  - (g) the potential value of the feature or site for public education;
  - (h) the potential value of the feature or site to provide additional understanding of the geological or biotic history;
  - (i) the state of preservation of the feature or site;

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(j) the extent to which a feature or site is associated with an historically important natural event, geologically related industry, or individual involved in earth science research;							
	(k) the importance of the feature or site to Mana Whenua.							
	(5) Include a place identified as an outstanding natural feature in Schedule 6 Outstanding Natural Features Overlay Schedule.							
	(6) Protect the physical and visual integrity of Auckland's outstanding natural features from inappropriate subdivision, use and development.	X	X		X			
	(7) Protect the historic, archaeological and cultural integrity of regionally significant volcanic features and their surrounds.							
	<i>Management of outstanding natural landscapes and outstanding natural features</i>	X	X		X			
	(8) Manage outstanding natural landscapes and outstanding natural features in an integrated manner to protect and, where practicable and appropriate, enhance their values.							
<b>B4.3.1 Objectives</b>	(1) Significant public views to and between Auckland's maunga are protected from inappropriate subdivision, use and development.							X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(2) Significant views from public places to the coastal environment, ridgelines and other landscapes are protected from inappropriate subdivision, use and development.							X
<b>B4.3.2 Policies</b>	<p>(1) Identify and evaluate a view to or between maunga for its regional or local significance considering the following factors:</p> <p>(a) the viewpoint conveys the view to an audience from a public viewpoint that is regionally or locally significant;</p> <p>(b) the view conveys an intact view of the maunga within a wider context which is of high or good quality;</p> <p>(c) the view will contribute to or reinforce an overall appreciation of the region's maunga;</p> <p>(d) the view recognises the importance of the maunga to Mana Whenua;</p> <p>(e) the extent to which there are other public views of and between the maunga; and</p> <p>(f) taking into account the extent to which the viewshaft will affect future development otherwise enabled by this Plan.</p>							X
	(2) Include a view in <a href="#">Schedule 9 Volcanic Viewshafts Schedule</a> if it is regionally or locally significant.							X
	(3) Protect significant views to and between maunga by:							X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(a) avoiding subdivision, use and development that would: <ul style="list-style-type: none"> <li>(i) result in significant modification or destruction of view; or</li> <li>(ii) significantly detract from the values of the view; and</li> </ul> (b) avoiding where practicable, and otherwise remedying or mitigating, adverse effects of subdivision, use and development that would: <ul style="list-style-type: none"> <li>(i) result in the modification of the view; or</li> <li>(ii) detract from the values of the view.</li> </ul>							
	(4) Protect the visual character, identity and form of maunga by: <ul style="list-style-type: none"> <li>(a) identifying height sensitive areas around the base of maunga; and</li> <li>(b) establishing height limits in such areas which control future development that could encroach into views and erode their significance.</li> </ul>							<b>X</b>
<b>B5</b>	<b>Historic Heritage</b>							
<b>B5.2.1 Objectives</b>	(1) Significant historic heritage places are identified and protected from inappropriate subdivision, use and development. (2) Significant historic heritage places are used appropriately and their protection, management				<b>X</b>			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	and conservation are encouraged, including retention, maintenance and adaptation.							
<b>B5.2.2 Policies</b>	<p>(6) Avoid significant adverse effects on the primary features of significant historic heritage places which have outstanding significance well beyond their immediate environs including:</p> <p>(a) the total or substantial demolition or destruction of any of the primary features of such places;</p> <p>(b) the relocation or removal of any of the primary features of such places away from their original site and context.</p> <p>(7) Avoid where practicable significant adverse effects on significant historic heritage places. Where significant adverse effects cannot be avoided, they should be remedied or mitigated so that they no longer constitute a significant adverse effect.</p> <p>(8) Encourage new development to have regard to the protection and conservation of the historic heritage values of any adjacent significant historic heritage places.</p> <p><i>Use of significant historic heritage places</i></p> <p>(9) Provide for the occupation, use, seismic strengthening, development, restoration and adaptation of significant historic heritage places, where this will support the retention of, and will not detract from, the historic heritage values of the place.</p>				X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>B5.3.1 Objectives</b>	(2) The character and amenity values of identified special character areas are maintained and enhanced.							<b>X</b>
<b>B5.3.2 Policies</b>	(1) Identify special character areas to maintain and enhance the character and amenity values of places that reflect patterns of settlement, development, building style and/or streetscape quality over time.							<b>X</b>
	(2) Identify and evaluate special character areas considering the following factors:  (a) physical and visual qualities: groups of buildings, or the area, collectively reflect important or representative aspects of architecture or design (building types or styles), and/or landscape or streetscape and urban patterns, or are distinctive for their aesthetic quality; and  (b) legacy including historical: the area collectively reflects an important aspect, or is representative, of a significant period and pattern of community development within the region or locality.							<b>X</b>
	(4) Maintain and enhance the character and amenity values of identified special character areas by all of the following:  (a) requiring new buildings and additions and modifications to existing buildings to maintain and enhance the special character of the area;							<b>X</b>

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(b) restricting the demolition of buildings and destruction of features that define, add to or support the special character of the area;</p> <p>(c) maintaining and enhancing the relationship between the built form, streetscape, vegetation, landscape and open space that define, add to or support the character of the area; and</p> <p>(d) avoiding, remedying or mitigating the cumulative effect of the loss or degradation of identified special character values.</p>							
<b>B6</b>	<b>Mana Whenua</b>							
<b>B6.2.1 Objectives</b>	<p>(1) The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are recognised and provided for in the sustainable management of natural and physical resources including ancestral lands, water, air, coastal sites, wahi tapu and other taonga.</p>							
	<p>(2) The principles of the Treaty of Waitangi/Te Tiriti o Waitangi are recognised through Mana Whenua participation in resource management processes.</p>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
	<p>(3) The relationship of Mana Whenua with Treaty Settlement Land is provided for, recognising all of the following:</p> <p>(a) Treaty settlements provide redress for the grievances arising from the breaches of the principles of Te Tiriti o Waitangi by the Crown;</p>							



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(b) the historical circumstances associated with the loss of land by Mana Whenua and resulting inability to provide for Mana Whenua wellbeing;</p> <p>(c) the importance of cultural redress lands and interests to Mana Whenua identity, integrity, and rangatiratanga; and</p> <p>(d) the limited extent of commercial redress land available to provide for the economic wellbeing of Mana Whenua.</p>							
<b>B6.3.1 Objectives</b>	<p>(1) Mana Whenua values, matauranga and tikanga are properly reflected and accorded sufficient weight in resource management decision-making.</p>							
	<p>(2) The mauri of, and the relationship of Mana Whenua with, natural and physical resources including freshwater, geothermal resources, land, air and coastal resources are enhanced overall.</p>	X	X	X	X	X	X	X
<b>B6.3.2 Policies</b>	<p>(1) Enable Mana Whenua to identify their values associated with all of the following:</p> <p>....</p> <p>(e) air, geothermal and coastal resources.</p>							
	<p>(2) Integrate Mana Whenua values, matauranga and tikanga:</p> <p>(a) in the management of natural and physical resources within the ancestral rohe of Mana Whenua, including:</p>							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(i) ancestral lands, water, sites, wahi tapu and other taonga;</li> <li>(ii) biodiversity; and</li> <li>(iii) historic heritage places and areas.</li> </ul> <p>(b) in the management of freshwater and coastal resources, such as the use of rahui to enhance ecosystem health;</p> <p>(c) in the development of innovative solutions to remedy the long-term adverse effects on historical, cultural and spiritual values from discharges to freshwater and coastal water; and</p> <p>(d) in resource management processes and decisions relating to freshwater, geothermal, land, air and coastal resources.</p>							
(3)	Ensure that any assessment of environmental effects for an activity that may affect Mana Whenua values includes an appropriate assessment of adverse effects on those values.	X	X	X	X	X	X	X
(4)	<p>Provide opportunities for Mana Whenua to be involved in the integrated management of natural and physical resources in ways that do all of the following:</p> <ul style="list-style-type: none"> <li>(a) recognise the holistic nature of the Mana Whenua world view;</li> <li>(b) recognise any protected customary right in accordance with the Marine and Coastal Area (Takutai Moana) Act 2011; and</li> </ul>	X	X	X	X	X	X	

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(c) restore or enhance the mauri of freshwater and coastal ecosystems.							
	(6) Require resource management decisions to have particular regard to potential impacts on all of the following:	X	X	X	X	X	X	
	(a) the holistic nature of the Mana Whenua world view;							
	(b) the exercise of kaitiakitanga;							
	(c) mauri, particularly in relation to freshwater and coastal resources;							
	(d) customary activities, including mahinga kai;							
	(e) sites and areas with significant spiritual or cultural heritage value to Mana Whenua; and							
	(f) any protected customary right in accordance with the Marine and Coastal Area (Takutai Moana) Act 2011.							
<b>B6.5.1 Objectives</b>	(1) The tangible and intangible values of Mana Whenua cultural heritage are identified, protected and enhanced.	X	X	X	X	X	X	X
	(2) The relationship of Mana Whenua with their cultural heritage is provided for.	X	X	X	X	X	X	X
<b>B6.5.2 Policies</b>	(1) Protect Mana Whenua cultural and historic heritage sites and areas which are of significance to Mana Whenua.		X		X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(4) Protect the places and areas listed in Schedule 12 Sites and Places of Significance to Mana Whenua Schedule from adverse effects of subdivision, use and development by avoiding all of the following:</p> <p>(a) the destruction in whole or in part of the site or place and its extent;</p> <p>(b) adverse cumulative effects on the site or place;</p> <p>(c) adverse effects on the location and context of the site or place; and</p> <p>(d) significant adverse effects on the values and associations Mana Whenua have with the site or place;</p> <p>taking into account in such circumstances whether or not any structures, buildings or infrastructure are present and the adverse effects are temporary.</p>		X		X			
	<p>(5) Protect places and areas in the Schedule 12 Sites and Places of Significance to Mana Whenua Schedule from the adverse effects of subdivision, use and development by all of the following:</p> <p>(a) avoiding where practicable, or otherwise remedying or mitigating adverse effects on the values and associations of Mana Whenua with the site, place or area;</p> <p>(b) requiring a protocol to be followed in the event of accidental discovery of koiwi, archaeology or artefacts of Maori origin; and</p>		X		X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(c) undertaking appropriate actions in accordance with matauranga and tikanga Maori.							
	(8) Encourage appropriate design, materials and techniques for infrastructure in areas of known historic settlement and occupation by the tupuna of Mana Whenua.		X		X			
<b>B7</b>	<b>Toitu te whenua, toitu te taiao – Natural resources</b>							
<b>B7.2.1 Objectives</b>	(1) Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision use and development.	X	X	X	X	X		
	(2) Indigenous biodiversity is maintained through protection, restoration and enhancement in areas where ecological values are degraded, or where development is occurring.	X	X	X	X	X		
<b>B7.2.2 Policies</b>	(1) Identify and evaluate areas of indigenous vegetation and the habitats of indigenous fauna in terrestrial and freshwater environments considering the following factors in terms of the descriptors contained in Schedule 3 Significant Ecological Areas – Terrestrial Schedule:  (a) representativeness;  (b) stepping stones, migration pathways and buffers;  (c) threat status and rarity;	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(d) uniqueness or distinctiveness; and (e) diversity.							
	(3) Identify and evaluate areas of significant indigenous vegetation, and the significant habitats of indigenous fauna, in the coastal marine area considering the following factors in terms of the descriptors contained in Schedule 4 Significant Ecological Areas – Marine Schedule: (a) recognised international or national significance; (b) threat status and rarity; (c) uniqueness or distinctiveness; (d) diversity; (e) stepping stones, buffers and migration pathways; and (f) representativeness.	X	X	X	X	X		
	(5) Avoid adverse effects on areas listed in the Schedule 3 of Significant Ecological Areas – Terrestrial Schedule and Schedule 4 Significant Ecological Areas – Marine Schedule.	X	X	X	X	X		
<b>B7.4.1 Objectives</b>	(1) Coastal water, freshwater and geothermal water are used within identified limits while safeguarding the life-supporting capacity and the natural, social and cultural values of the waters.							
	(2) The quality of freshwater and coastal water is maintained where it is excellent or good and	X	X					

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	progressively improved over time where it is degraded.							
	(5) The adverse effects from changes in or intensification of land use on coastal water and freshwater quality are avoided, remedied or mitigated.	X	X	X	X	X		
	(6) Mana Whenua values, matauranga and tikanga associated with coastal water, freshwater and geothermal water are recognised and provided for, including their traditional and cultural uses and values.	X	X	X	X	X		
<b>B8</b>	<b>Toitu te taiwhenua – Coastal Environment</b>							
<b>B8.2.1 Objectives</b>	(1) Areas of the coastal environment with outstanding and high natural character are preserved and protected from inappropriate subdivision, use and development.	X	X					
	(2) Subdivision, use and development in the coastal environment are designed, located and managed to preserve the characteristics and qualities that contribute to the natural character of the coastal environment.	X	X	X	X	X		
	(3) Where practicable, in the coastal environment areas with degraded natural character are restored or rehabilitated and areas of high and outstanding natural character are enhanced.	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>8.2.2 Policies</b>	<p>(1) Identify and evaluate areas of outstanding natural character or high natural character considering the following factors:</p> <ul style="list-style-type: none"> <li>(a) Natural elements, processes and patterns;</li> <li>(b) Biophysical, ecological, geological and geomorphological aspects;</li> <li>(c) Natural landforms such as headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs and surf breaks;</li> <li>(d) The natural movement of water and sediment;</li> <li>(e) The natural darkness of the night sky;</li> <li>(f) Places or areas that are wild or scenic; and</li> <li>(g) Experiential attributes, including the sounds and smell of the sea, and their context or setting.</li> </ul>							
	(2) Include an area in the coastal environment with outstanding or high natural character in Schedule 8 Outstanding Natural Character and High Natural Character Overlay Schedule.	X	X					
	<p>(3) Preserve and protect areas of outstanding natural character and high natural character from inappropriate subdivision, use and development by:</p> <ul style="list-style-type: none"> <li>(a) avoiding adverse effects of activities on natural character in areas of the coastal environment scheduled as outstanding natural character; and</li> </ul>	X	X					



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(b) avoiding significant adverse effects and avoid, remedy or mitigate other adverse effects of activities on natural character in all other areas of the coastal environment.							
	(4) Avoid significant adverse effects and avoid, remedy or mitigate other adverse effects on natural character of the coastal environment not identified as outstanding natural character and high natural character from inappropriate subdivision, use and development.	X	X	X	X	X		
<b>B8.3.1 Objectives</b>	(1) Subdivision, use and development in the coastal environment are located in appropriate places and are of an appropriate form and within appropriate limits, taking into account the range of uses and values of the coastal environment.	X	X	X	X	X		
	(2) The adverse effects of subdivision, use and development on the values of the coastal environment are avoided, remedied or mitigated.	X	X	X	X	X		
	(3) The natural and physical resources of the coastal environment are used efficiently and activities that depend on the use of the natural and physical resources of the coastal environment are provided for in appropriate locations.	X	X	X	X	X		
	(4) Rights to occupy parts of the coastal marine area are generally limited to activities that have a functional need to locate in the coastal marine area, or an operational need making the occupation of the coastal marine area more	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	appropriate than land outside of the coastal marine area.							
	(5) Uses and developments that have a need to locate on land above and below the mean high water springs are provided for in an integrated manner.	X	X	X	X	X		
	(6) Conflicts between activities including reverse sensitivity effects are avoided, remedied or mitigated.	X	X	X	X	X		
	(7) In areas potentially affected by coastal hazards, subdivision, use and development avoid increasing the risk of social, environmental and economic harm.	X	X	X	X	X		
<b>B8.3.2 Policies</b>	(1) Recognise the contribution that use and development of the coastal environment make to the social, economic and cultural well-being of people and communities.	X	X	X	X	X		
	(2) Avoid or mitigate sprawling or sporadic patterns of subdivision, use and development in the coastal environment by all of the following:	X	X	X	X	X		
	(a) concentrating subdivision, use and development within areas already characterised by development and where natural character values are already compromised;							
	(b) avoiding urban activities in areas with natural and physical resources that have been							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character; and</p> <p>(c) ensuring that subdivision, use or development involving land above and below the mean high water springs can provide for any associated facilities or infrastructure in an integrated manner.</p>							
(3)	Provide for use and development in the coastal marine area that:	X	X	X	X	X		
	(a) have a functional need which requires the use of the natural and physical resources of the coastal marine area;							
	(b) are for the public benefit or public recreation that cannot practicably be located outside the coastal marine area;							
	(c) have an operational need making a location in the coastal marine area appropriate and that cannot practicably be located outside the coastal marine area; or							
	(d) enable the use of the coastal marine area by Mana Whenua for Maori cultural activities and customary uses.							
(4)	Require subdivision, use and development in the coastal environment to avoid, remedy or mitigate the adverse effects of activities above and below the mean high water springs, including the effects	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	on existing uses and on the coastal receiving environment.							
	(5) Adopt a precautionary approach towards proposed activities whose effects on the coastal environment are uncertain, unknown or little understood, but could be significantly adverse.							
	(6) Consider the purposes for which land or water in the coastal environment is held or managed under any enactment for conservation or protection purposes and:  (a) avoid adverse effects that are significant in relation to those purposes; and  (b) avoid, remedy or mitigate other adverse effects in relation to those purposes.							
	(7) Set back development from the coastal marine area, where practicable, to protect the natural character and amenity values of the coastal environment.	X	X	X	X	X		
	<i>Ports</i>	X	X	X	X	X		
	(8) Recognise the national and regional significance of the Auckland ports and the need for them to be located within the coastal environment by all of the following:  (a) enabling the efficient and safe operation of the ports and their connection with other transport modes;							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(b) enabling the safe navigation and berthing of vessels, including by dredging; and							
	(c) avoiding or mitigating the adverse effects of activities that may compromise efficient and safe port operations.							
	<i>Reclamation</i>	X	X	X	X	X		
	(9) Avoid reclamation of land in the coastal marine area unless all of the following apply:							
	(a) land outside the coastal marine area is not available for the proposed activity;							
	(b) the activity which requires reclamation can only occur in or adjacent to the coastal marine area;							
	(c) there are no practicable alternative methods of providing for the activity; and							
	(d) the reclamation will provide significant regional or national benefit.							
<b>B8.4.1 Objectives</b>	(1) Public access to and along the coastal marine area is maintained and enhanced, except where it is appropriate to restrict that access, in a manner that is sensitive to the use and values of an area.	X	X	X	X	X		
	(2) Public access is restricted only where necessary to ensure health or safety, for security reasons, for the efficient and safe operation of activities, or to protect the value of areas that are sensitive to disturbance.	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(3) The open space, recreation and amenity values of the coastal environment are maintained or enhanced, including through the provision of public facilities in appropriate locations.	X	X	X	X	X		
<b>B8.4.2 Policies</b>	<p>(1) Subdivision, use and development in the coastal environment must, where practicable, do all of the following:</p> <p>(a) maintain and where possible enhance public access to and along the coastal marine area, including through the provision of esplanade reserves and strips;</p> <p>(b) be designed and located to minimise impacts on public use of and access to and along the coastal marine area;</p> <p>(c) be set back from the coastal marine area to protect public open space values and access; and</p> <p>(d) take into account the likely impact of coastal processes and climate change, and be set back sufficiently to not compromise the ability of future generations to have access to and along the coast.</p>	X	X	X	X	X		
	<p>(3) Restrict public access to and along the coastal marine area, particularly walking access, only where it is necessary to do any of the following:</p> <p>(a) protect public health and safety;</p> <p>(b) provide for defence, port or airport purposes;</p>	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(c) protect areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character;</p> <p>(d) protect threatened indigenous species;</p> <p>(e) protect dunes, estuaries and other sensitive natural areas or habitats;</p> <p>(f) have a level of security necessary to carry out an activity or function that has been established or provided for;</p> <p>(g) provide for exclusive use of an area to carry out an activity granted an occupation consent under section 12 of the Resource Management Act 1991;</p> <p>(h) enable a temporary activity or special event; or</p> <p>(i) in other exceptional circumstances sufficient to justify the restriction.</p>							
<b>B8.5.1. Objectives</b>	<p>(1) The management of the Hauraki Gulf gives effect to sections 7 and 8 of the Hauraki Gulf Marine Park Act 2000.</p> <p>(2) Use and development supports the social and economic well-being of the resident communities of Waiheke and Great Barrier islands, while maintaining or, where appropriate, enhancing the natural and physical resources of the islands.</p>	<b>X</b>	<b>X</b>					

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(3) Economic well-being is enabled from the use of the Hauraki Gulf's natural and physical resources without resulting in further degradation of environmental quality or adversely affecting the life-supporting capacity of marine ecosystems.	X	X					
<b>B8.5.2. Policies</b>	Integrated management	X	X					
	(1) Encourage and support the restoration and enhancement of the Hauraki Gulf's ecosystems, its islands and catchments.							
	(2) Require the integrated management of use and development in the catchments, islands, and waters of the Hauraki Gulf to ensure that the ecological values and life-supporting capacity of the Hauraki Gulf are protected, and where appropriate enhanced.							
	(3) Require applications for use and development to be assessed in terms of the cumulative effect on the ecological and amenity values of the Hauraki Gulf, rather than on an area-specific or case-by-case basis.	X	X					
	(4) Maintain and enhance the values of the islands in the Hauraki Gulf.	X	X					
	(5) Avoid use and development that will compromise the natural character, landscape, conservation and biodiversity values of the islands, particularly in areas with natural and physical resources that have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural							



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	resources, coastal, historic heritage and special character.							
	(6) Promote the restoration and rehabilitation of natural character values of the islands of the Hauraki Gulf.							
	(7) Ensure that use and development of the area adjoining conservation islands, regional parks or Department of Conservation land, does not adversely affect their scientific, natural or recreational values.							
	(8) Enhance opportunities for educational and recreational activities on the islands of the Hauraki Gulf if they are consistent with protecting natural and physical resources, particularly in areas where natural and physical resources have been scheduled in the Unitary Plan in relation to natural heritage, Mana Whenua, natural resources, coastal, historic heritage and special character.							
	(9) Identify and protect areas or habitats, particularly those unique to the Hauraki Gulf, that are:	X	X					
	(a) significant to the ecological and biodiversity values of the Hauraki Gulf; and							
	(b) vulnerable to modification.							
	(10) Work with agencies and stakeholders to establish an ecological bottom line, or agreed target, for	X	X					

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>managing the Hauraki Gulf's natural and physical resources which will do all of the following:</p> <p>(a) provide greater certainty in sustaining the Hauraki Gulf's ongoing lifesupporting capacity and ecosystem services;</p> <p>(b) assist in avoiding incremental and ongoing degradation;</p> <p>(c) co-ordinate cross-jurisdictional integrated management and effort to achieve agreed outcomes;</p> <p>(d) better measure the success of protection and enhancement initiatives;</p> <p>(e) assist in establishing a baseline for monitoring changes; B8 Toitū te taiwhenua - Coastal environment Auckland Unitary Plan Operative in part 8;</p> <p>(f) enable better evaluation of the social and economic cost-benefits of management; and</p> <p>(g) provide an expanded green-blue network linking restored island and mainland sanctuaries with protected, regenerating marine areas where the ecological health and productivity of the marine area will be enhanced.</p>							
	<p><i>Providing for the relationship of Mana Whenua with the Hauraki Gulf</i></p>	X	X					
	<p>(11) Work in partnership with Mana Whenua to protect and enhance culturally important environmental resources and values of the Hauraki Gulf that are</p>							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	important to their traditional, cultural and spiritual relationship with the Hauraki Gulf.							
	(12) Incorporate mātauranga Māori with western knowledge in establishing management objectives for the Hauraki Gulf.	X	X					
	(13) Require management and decision-making to take into account the historical, cultural and spiritual relationship of Mana Whenua with the Hauraki Gulf, and the ongoing capacity to sustain these relationships.							
	<i>Maintaining and enhancing social, cultural and recreation values</i>	X	X					
	(14) Identify and protect the natural and physical resources that have important cultural and historic associations for people and communities in and around the Hauraki Gulf.							
	(15) Identify, maintain, and where appropriate enhance, areas of high recreational use within the Hauraki Gulf by managing water quality, development and potentially conflicting uses so as not to compromise the particular values or qualities of these areas that add to their recreational value.							
	(16) Encourage the strategic provision of infrastructure and facilities to enhance public access and recreational use and enjoyment of the Hauraki Gulf.							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<i>Providing for the use of natural and physical resources, and for economic activities</i>	X	X					
	(17) Provide for commercial activities in the Hauraki Gulf and its catchments while ensuring that the impacts of use, and any future expansion of use and development, do not result in further degradation or net loss of sensitive marine ecosystems.							
	(18) Encourage the strategic provision of infrastructure and facilities that support economic opportunities for the resident communities of Waiheke and Great Barrier islands.							
	(19) Promote economic development opportunities that complement the unique values of the islands and the Hauraki Gulf.	X	X					
	(20) Promote the national significance of the Hauraki Gulf Marine Park by:  (a) supporting the development of Auckland's waterfront as the gateway to the Hauraki Gulf; and  b) promoting the Hauraki Gulf as a visitor destination.	X	X					
<b>B9</b>	<b>Rural</b>							
<b>B9.2.1 Objectives</b>	(1) Rural areas make a significant contribution to the wider economic productivity of, and food supply for, Auckland and New Zealand.						X	

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(2) Areas of land containing elite soil are protected for the purpose of food supply from inappropriate subdivision, urban use and development.</p> <p>(3) Rural production and other activities that support rural communities are enabled while the character, amenity, landscape and biodiversity values of rural areas, including within the coastal environment, are maintained.</p> <p>(4) Auckland's rural areas outside the Rural Urban Boundary and rural and coastal towns and villages are protected from inappropriate subdivision, urban use and development.</p>							
<b>B9.2.2 Policies</b>	<p>(1) Enable a diverse range of activities while avoiding significant adverse effects on and urbanisation of rural areas, including within the coastal environment, and avoiding, remedying, or mitigating other adverse effects on rural character, amenity, landscape and biodiversity values.</p>						<b>X</b>	
<b>B9.3.1 Objectives</b>	<p>(1) Land containing elite soils is protected through land management practices to maintain its capability, flexibility and accessibility for primary production.</p> <p>(2) Land containing prime soil is managed to enable its capability, flexibility and accessibility for primary production.</p> <p>(3) The productive potential of land that does not contain elite or prime soil is recognised.</p>						<b>X</b>	

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>B9.3.2 Policies</b>	<p>(1) Avoid new countryside living subdivision, use and development on land containing elite soil and discourage them on land containing prime soil.</p> <p>(2) Encourage activities that do not depend on using land containing elite and prime soil to locate outside these areas.</p> <p>(3) Recognise the productive potential of land that does not contain elite or prime soil and encourage the continued use of this land for rural production.</p> <p>(4) Provide for non-soil dependent rural enterprises (including post-harvest facilities) on land containing elite or prime soil where there are economic and operational benefits associated with concentrating such enterprises in specific rural localities.</p> <p>(5) Encourage land management practices that retain the physical and chemical capability of rural soils.</p>						X	

## **Appendix B7**

### Auckland Unitary Plan

## Auckland Unitary Plan Provisions

Green shading within the table indicates a directive provision that may present a consenting challenge.

CHAPTER D OVERLAYS – NATURAL RESOURCES, NATURAL HERITAGE, HISTORIC HERITAGE AND SPECIAL CHARACTER, MANA WHENUA, BUILT ENVIRONMENT, INFRASTRUCTURE								
	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>D8.</b>	<b>Wetland Management Areas Overlay</b>							
<b>D8.2 Objectives</b>	(1) High natural character and ecological values of wetland management areas are maintained or enhanced.				X			
	(2) The reduction in the spatial extent of wetlands is avoided as far as is practicable.				X			
	(3) Cultural, recreational and amenity values of wetland management areas are maintained or enhanced.				X			
<b>D8.3 Policies</b>	(1) Maintain or enhance wetland management areas by:  (a) maintaining water quality where it is excellent or good and progressively improve where it is degraded;  (b) maintaining water levels to ensure ecosystem functionality and significant variations in water levels occur only through natural fluctuations;				X			



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(c) avoiding the removal or degradation of wetland vegetation in, on, or adjacent to wetlands;</li> <li>(d) avoiding adverse effects of any activity on ecological values;</li> <li>(e) maintaining the size and spatial extent of the wetland area by avoiding progressive loss of wetland areas; and</li> <li>(f) providing for wetland enhancement activities, including riparian planting and the removal of invasive pests.</li> </ul>							
	(2) Recognise and provide for ecosystem functions of wetlands in wetland management areas, including the attenuation of flooding and treatment of discharges, where these functions will not result in significant adverse effects on the ecological or cultural values of the wetland.					X		
	(3) Avoid activities in, on or adjacent to wetland management areas except where the activity: <ul style="list-style-type: none"> <li>(a) is for wetland conservation purposes, including pest removal;</li> <li>(b) is for public access and interpretative activities relating to high natural character and ecological values; or</li> </ul>					X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(c) is for operation, maintenance, upgrading or replacement of existing or new infrastructure;  provided significant adverse effects on the high natural character and ecological values of the wetland are avoided, and other adverse effects are avoided, remedied, mitigated or offset.							
	(4) Provide for infrastructure in, on, under or over the wetland management areas only where there is a functional or operational need to be in that location or traverse the area where there is no practicable alternative.				X			
<b>D9</b>	<b>Significant Ecological Area Marine</b>							
<b>D9.2 Objectives</b>	(1) Areas of significant indigenous biodiversity value in terrestrial, freshwater, and coastal marine areas are protected from the adverse effects of subdivision, use and development.	X	X	X	X	X		
	(2) Indigenous biodiversity values of significant ecological areas are enhanced.	X	X	X	X	X		
	(3) The relationship of Mana Whenua and their customs and traditions with indigenous vegetation and fauna is recognised and provided for.	X	X	X	X	X		X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>D9.3 Policies</b>	<p>(1) Manage the effects of activities on the indigenous biodiversity values of areas identified as significant ecological areas by:</p> <p>(a) avoiding adverse effects on indigenous biodiversity in the coastal environment to the extent stated in Policies D9.3(9) and (10);</p> <p>(b) avoiding other adverse effects as far as practicable, and where avoidance is not practicable, minimising adverse effects on the identified values;</p> <p>(c) remedying adverse effects on the identified values where they cannot be avoided;</p> <p>(d) mitigating adverse effects on the identified values where they cannot be avoided or remediated; and</p> <p>(e) considering the appropriateness of offsetting any residual adverse effects that are significant and where they have not been able to be mitigated, through protection, restoration and enhancement measures, having regard to Appendix 8 Biodiversity offsetting.</p>	X	X	X	X	X		
	<p>(2) Adverse effects on indigenous biodiversity values in significant ecological areas that are required to be avoided, remedied, mitigated or offset may include, but are not limited to, any of the following:</p>	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(a) fragmentation of, or a reduction in the size and extent of, indigenous ecosystems and the habitats of indigenous species;</li> <li>(b) fragmentation or disruption of connections between ecosystems or habitats;</li> <li>(c) changes which result in increased threats from pests on indigenous biodiversity and ecosystems;</li> <li>(d) loss of buffering of indigenous ecosystems;</li> <li>(e) loss of a rare or threatened individual, species population or habitat;</li> <li>(f) loss or degradation of originally rare ecosystems including wetlands, dune systems, lava forests, coastal forests;</li> <li>(g) a reduction in the abundance of individuals within a population, or natural diversity of indigenous vegetation and habitats of indigenous fauna;</li> <li>(h) loss of ecosystem services;</li> <li>(i) effects which contribute to a cumulative loss or degradation of habitats, species populations and ecosystems;</li> <li>(j) impacts on species or ecosystems that interact with other activities, or impacts that exacerbate or cause adverse effects in synergistic ways;</li> </ul>							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(k) loss of, or damage to, ecological mosaics, sequences, processes, or integrity;</li> <li>(l) downstream effects on wetlands, rivers, streams, and lakes from hydrological changes further up the catchment;</li> <li>(m) a modification of the viability or value of indigenous vegetation and habitats of indigenous fauna as a result of the use or development of other land, freshwater, or coastal resources;</li> <li>(n) a reduction in the historical, cultural, and spiritual association held by Mana Whenua or the wider community;</li> <li>(o) the destruction of, or significant reduction in, educational, scientific, amenity, historical, cultural, landscape, or natural character values;</li> <li>(p) disturbance to indigenous fauna that is likely or known to increase threats, disturbance or pressures on indigenous fauna; or</li> <li>(q) increases in the extinction probability of a species.</li> </ul>							
	(3) Enhance indigenous biodiversity values in significant ecological areas through any of the following:	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(a) restoration, protection and enhancement of threatened ecosystems and habitats for rare or threatened indigenous species;</li> <li>(b) control, and where possible, eradication of plant and animal pests;</li> <li>(c) fencing of significant ecological areas to protect them from stock impacts;</li> <li>(d) legal protection of significant ecological areas through covenants or similar mechanisms;</li> <li>(e) development and implementation of management plans to address adverse effects;</li> <li>(f) re-vegetating areas using, where possible, indigenous species sourced from naturally growing plants in the vicinity with the same climactic and environmental conditions; or</li> <li>(g) providing for the role of Mana Whenua as kaitiaki and for the practical exercise of kaitiakitanga in restoring, protecting and enhancing areas.</li> </ul>							
	<p>(5) Enable the following vegetation management activities in significant ecological areas to provide for the reasonable use and management of land:</p> <ul style="list-style-type: none"> <li>(a) trimming of vegetation;</li> </ul>	X	X	X	X	X		X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(b) vegetation removal to maintain existing open areas, including tracks;</li> <li>(c) vegetation removal to establish and maintain a reasonable cleared area around a building;</li> <li>(d) vegetation removal required to maintain lawfully established activities, structures and buildings;</li> <li>(e) vegetation removal necessary to provide for a dwelling on a site;</li> <li>(f) vegetation removal necessary to provide for marae and papakainga on Māori land;</li> <li>(g) vegetation removal in areas of high wildfire risk to manage this risk; and</li> <li>(h) vegetation removal necessary to provide access and exit for emergency service vehicles.</li> </ul>							
	<p>(6) While also applying Policies D9.3(9) and (10) in the coastal environment, avoid as far as practicable the removal of vegetation and loss of biodiversity in significant ecological areas from the construction of building platforms, access ways or infrastructure, through:</p> <ul style="list-style-type: none"> <li>(a) using any existing cleared areas on a site to accommodate new development in the first instance;</li> </ul>	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(b) assessing any practicable alternative locations and/or methods that would reduce the need for vegetation removal or land disturbance;</li> <li>(c) retaining indigenous vegetation and natural features which contribute to the ecological significance of a site, taking into account any loss that may be unavoidable to create a single building platform for a dwelling and associated services, access and car parking on a site;</li> <li>(d) designing and locating dwellings and other structures to reduce future demands to clear or damage areas of significant indigenous biodiversity, for example to provide sunlight or protect property;</li> <li>(e) avoiding as far as practicable any changes in hydrology which could adversely affect indigenous biodiversity values;</li> <li>(f) implementing measures to maintain existing water quality and not increase the amount of sediment entering natural waterways, wetlands and groundwater; and</li> <li>(g) using techniques that minimise the effects of construction and development on vegetation and biodiversity and the introduction and spread of animal and plant pests.</li> </ul>							



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(7) Provide for the role of Mana Whenua as kaitiaki in managing biodiversity, particularly in Treaty Settlement areas, and for cultural practices and cultural harvesting in significant ecological areas where the mauri of the resource is sustained.	X	X	X	X	X		
	(8) Manage the adverse effects from the use, maintenance, upgrade and development of infrastructure in accordance with the policies above, recognising that it is not always practicable to locate and design infrastructure to avoid significant ecological areas.	X	X	X	X	X		X
	(9) Avoid activities in the coastal environment where they will result in any of the following: (a) non-transitory or more than minor adverse effects on: (i) threatened or at risk indigenous species (including Maui's Dolphin and Bryde's Whale); (ii) the habitats of indigenous species that are at the limit of their natural range or which are naturally rare; (iii) threatened or rare indigenous ecosystems and vegetation types, including naturally rare ecosystems and vegetation types;	X	X	X	X	X		X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(iv) areas containing nationally significant examples of indigenous ecosystems or indigenous community types; or</p> <p>(v) areas set aside for full or partial protection of indigenous biodiversity under other legislation, including the West Coast North Island Marine Mammal Sanctuary.</p> <p>(b) any regular or sustained disturbance of migratory bird roosting, nesting and feeding areas that is likely to noticeably reduce the level of use of an area for these purposes; or</p> <p>(c) the deposition of material at levels which would adversely affect the natural ecological functioning of the area.</p>							
(10)	<p>Avoid (while giving effect to Policy D9.3(9) above) activities in the coastal environment which result in significant adverse effects, and avoid, remedy or mitigate other adverse effects of activities, on:</p> <p>(a) areas of predominantly indigenous vegetation;</p> <p>(b) habitats that are important during the vulnerable life stages of indigenous species;</p> <p>(c) indigenous ecosystems and habitats that are found only in the coastal environment</p>	X	X	X	X	X		X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;</p> <p>(d) habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes including fish spawning, pupping and nursery areas;</p> <p>(e) habitats, including areas and routes, important to migratory species;</p> <p>(f) ecological corridors, and areas important for linking or maintaining biological values; or</p> <p>(g) water quality such that the natural ecological functioning of the area is adversely affected.</p>							
(11)	<p>In addition to Policies D9.3(9) and (10), avoid subdivision, use and development in the coastal environment where it will result in any of the following:</p> <p>(a) the permanent use or occupation of the foreshore and seabed to the extent that the values, function or processes associated with any Significant Ecological Area – Marine is significantly reduced;</p>	X	X	X	X	X		X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(b) any change to physical processes that would destroy, modify, or damage any natural feature or values identified for a Significant Ecological Area – Marine in more than a minor way; or</p> <p>(c) fragmentation of the values of a Significant Ecological Area – Marine to the extent that its physical integrity is lost.</p>							
(12)	<p>Manage the adverse effects of use and development on the values of Significant Ecological Areas – Marine, in addition to the policies above, taking into account all of the following:</p> <p>(a) the extent to which existing use and development already, and in combination with any proposal, impacts on the habitat, or impedes the operation of ecological and physical processes;</p> <p>(b) the extent to which there are similar habitat types within other Significant Ecological Areas – Marine in the same harbour or estuary or, where the significant ecological area - marine is located on open coast, within the same vicinity; and</p> <p>(c) whether the viability of habitats of regionally or nationally threatened plants or animals is adversely affected, including</p>	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	the impact on the species population and location.							
(13)	<p>In addition to Policies D9.3(9) and (10), avoid structures in Significant Ecological Areas – Marine 1 (SEA-M1) except where a structure is necessary for any of the following purposes:</p> <p>(a) scientific and research purposes, or for public education, and will enhance the understanding and long-term protection of the significant ecological area;</p> <p>(b) navigation and safety;</p> <p>(c) habitat maintenance and enhancement; or</p> <p>(d) to benefit the regional and national community, including structures for significant infrastructure where there is no reasonable or practicable alternative location on land, or elsewhere in the coastal marine area outside of a Significant Ecological Area – Marine 1(SEA-M1).</p>	X	X	X	X	X		
(14)	<p>In addition to Policies D9.3(9) and (10), avoid the extension to, or alteration of, any existing lawful structure in Significant Ecological Areas – Marine 1 (SEA-M1) unless all of the following can be demonstrated:</p> <p>(a) that the existing structure has no significant adverse effects on the values</p>	X	X	X	X	X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>and ecological and physical processes operating in the significant ecological area;</p> <p>(b) that the extension or alteration will not involve significant disturbance of foreshore or seabed, clearance of indigenous vegetation, or significantly increase the need to dredge in order to obtain access to the structure; and</p> <p>(c) that the purpose of the extension cannot practicably be met by a land-based alternative.</p>							
	(15) Avoid mangrove removal within Significant Ecological Areas – Marine where it will threaten the viability or significance of the ecological values identified.				X			
	<p>(16) Avoid mangrove removal within Significant Ecological Areas – Marine 1 (SEAM1) unless the removal is for any of the following purposes:</p> <p>(a) to maintain or enhance the ecological values of the significant ecological marine area, where it is demonstrated these values are being adversely affected by mangrove colonisation;</p> <p>(b) to maintain or restore the open nature of the wading bird feeding and roosting areas</p>				X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>identified in Appendix 5 Wading bird areas;</p> <p>(c) to enable the reasonable operation, maintenance and use of lawful structures and/or to allow for the efficient functioning of drainage systems; or</p> <p>(d) to enable the provision, maintenance and use of public infrastructure, such as roads, walkways and drainage systems, and any associated public health and safety requirements, where there is no practicable alternative location outside the significant ecological area that would achieve a better environmental outcome.</p>							
(17)	<p>Enable mangrove seedling removal in Significant Ecological Areas – Marine 1 (SEA-M1) that do not have significant values associated with mangroves and D9 Significant Ecological Areas Overlay Auckland Unitary Plan Operative in part 9 that are identified in Schedule 5 Significant Ecological Areas – Marine where mangroves are a minor component or absent.</p>				X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>D10</b>	<b>Outstanding Natural Features Overlay and Outstanding Natural Landscapes Overlay</b>							
<b>D10.2 Objectives</b>	(1) Auckland's outstanding natural features and outstanding natural landscapes are protected from inappropriate subdivision, use, and development.	<b>X</b>	<b>X</b>		<b>X</b>			
	(2) The ancestral relationships of Mana Whenua with outstanding natural features and outstanding natural landscapes are recognised and provided for.	<b>X</b>	<b>X</b>		<b>X</b>			
	(3) Where practicable the restoration and enhancement of outstanding natural features and outstanding natural landscapes, including in the Waitākere Ranges Heritage Area and the Hauraki Gulf /Te Moana-nui o Toi/Tikapa Moana, is promoted.	<b>X</b>	<b>X</b>		<b>X</b>			
<b>D10.3 Policies</b>	(1) Protect the physical and visual integrity of outstanding natural landscapes by:  (a) avoiding the adverse effects of inappropriate subdivision, use and development on the natural characteristics and qualities that contribute to the values of the outstanding natural landscape;	<b>X</b>	<b>X</b>					



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(b) maintaining the visual coherence and integrity of the outstanding natural landscape;</p> <p>(c) maintaining natural landforms, natural processes and vegetation areas and patterns;</p> <p>(d) maintaining the visual or physical qualities that make the landscape iconic or rare; and</p> <p>(e) maintaining high levels of naturalness in outstanding natural landscapes that are also identified as outstanding natural character or high natural character areas</p>							
(2)	<p>Protect the physical and visual integrity of outstanding natural landscapes while taking into account the following matters:</p> <p>(a) the extent of anthropogenic changes to the natural elements, patterns, processes or characteristics and qualities;</p> <p>(b) the presence or absence of structures, buildings or infrastructure;</p> <p>(c) the temporary or permanent nature of any adverse effects;</p> <p>(d) the physical and visual integrity and the natural processes of the location;</p>	X	X					

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(e) the physical, visual and experiential values that contribute significantly to the natural landscape's values;</p> <p>(f) the location, scale and design of any proposed development; and</p> <p>(g) the functional or operational need of any proposed infrastructure to be located in the outstanding natural landscape area.</p>							
(3)	<p>Protect the physical and visual integrity of outstanding natural features, including volcanic features that are outstanding natural features, by:</p> <p>(a) avoiding the adverse effects of inappropriate subdivision, use and development on the natural characteristics and qualities that contribute to an outstanding natural feature's values;</p> <p>(b) ensuring that the provision for, and upgrading of, public access, recreation and infrastructure is consistent with the protection of the values of an outstanding natural feature; and</p> <p>(c) avoiding adverse effects on Mana Whenua values associated with an outstanding natural feature.</p>	X	X		X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(4) Protect the physical and visual integrity of outstanding natural features, while taking into account the following matters:</p> <p>(a) the value of the outstanding natural feature in its wider historic heritage, cultural, landscape, natural character and amenity context;</p> <p>(b) the educational, scientific, amenity, social or economic value of the outstanding natural feature;</p> <p>(c) the historical, cultural and spiritual association with the outstanding natural feature held by Mana Whenua;</p> <p>(d) the extent of anthropogenic changes to the natural characteristics and qualities of the outstanding natural feature;</p> <p>(e) the presence or absence of structures, buildings or infrastructure;</p> <p>(f) the temporary or permanent nature of any adverse effects;</p> <p>(g) the physical and visual integrity and the natural processes of the location;</p> <p>(h) the physical, visual and experiential values that contribute significantly to the outstanding natural feature's values;</p>	X	X		X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(i) the location, scale and design of any proposed subdivision, use or development; and</p> <p>(j) the functional or operational need of any proposed infrastructure to be located within the outstanding natural feature.</p>							
	(5) Enable use and development that maintains or enhances the values or appreciation of an outstanding natural landscape or outstanding natural feature.	X	X		X			
	(7) Encourage the restoration and enhancement of outstanding natural landscapes and outstanding natural features where practical, and where this is consistent with the values of the feature or area.	X	X		X			
<b>D11</b>	<b>Outstanding Natural Character and High Natural Character</b>							
<b>D11.2 Objectives</b>	(1) The natural characteristics and qualities of areas with outstanding natural character, or high natural character values are preserved and protected from inappropriate subdivision, use and development.	X	X					
	(2) Where practical areas with outstanding natural character or high natural character values in the coastal environment, including areas in the	X	X					

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	Waitākere Ranges Heritage Area and the Hauraki Gulf/To Moana Nui o Toi/Tīkapa Moana, are enhanced.							
<b>D11.3 Policies</b>	<p>(1) Subdivision, use and development in areas scheduled in Schedule 8 Outstanding Natural Character and High Natural Character Overlay Schedule must:</p> <p>(a) avoid adverse effects on the natural characteristics and qualities that contribute to the natural character values of outstanding natural character areas;</p> <p>(b) avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects, on the characteristics and qualities that contribute to the natural character values of high natural character areas;</p> <p>(c) maintain significant landforms and indigenous vegetation and habitats that are significant natural characteristics and qualities in outstanding natural character and high natural character areas, to protect the visual and biophysical linkages between areas, while taking into account:</p>	<b>X</b>	<b>X</b>					

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(i) the location, scale and design of the proposed subdivision, use or development;</li> <li>(ii) the extent of anthropogenic changes to landform, vegetation, coastal processes and water movement;</li> <li>(iii) the presence or absence of structures, buildings or infrastructure;</li> <li>(iv) the temporary or permanent nature of any adverse effects;</li> <li>(v) the physical and visual integrity of the area, and the natural processes of the location;</li> <li>(vi) the intactness of any areas of significant vegetation and vegetative patterns;</li> <li>(vii) the physical, visual and experiential values that contribute significantly to the wilderness and scenic value of the area;</li> <li>(viii) the integrity of landforms, geological features and associated natural processes, including sensitive landforms such as ridgelines, headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs, streams, rivers and surf breaks;</li> </ul>							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(ix) the natural characteristics and qualities that exist or operate across mean high water spring and land in the coastal environment, including processes of sediment transport, patterns of erosion and deposition, substrate composition and movement of biota, including between marine and freshwater environments; and</p> <p>(x) the functional or operational need for any proposed infrastructure to be located in the area.</p>							
	(2) Promote land use practices and restoration activities that will enhance the values of outstanding natural character and high natural character areas.	X	X					
<b>D14</b>	<b>Volcanic Viewshafts and Height Sensitive Areas Overlay</b>							
<b>D14.2 Objectives</b>	(1) The regionally significant views to and between Auckland's maunga are protected.							X
	(2) The locally significant views to Auckland's maunga are managed to maintain and enhance the visual character, identity and form of the maunga in the views.							X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>D14.3 Policies</b>	<p>(1) Protect the visual character, identity and form of regionally significant volcanic maunga, together with local views to them, by:</p> <p>(a) locating height sensitive areas around the base of the volcanic maunga; and</p> <p>(b) imposing height limits which prevent future encroachment into views of the volcanic maunga that would erode the visibility to their profile and open space values, while allowing a reasonable scale of development.</p>							<b>X</b>
	<p>(3) Protect the historic, archaeological and cultural integrity of regionally significant volcanic features and their surrounds by avoiding activities that detract from these values and the mana of the maunga.</p>							<b>X</b>



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(4) Avoid new buildings or structures that intrude into volcanic viewshafts scheduled in <a href="#">Schedule 9 Volcanic Viewshafts Schedule</a>, except:</p> <p>(a) where they would have no adverse effect on the visual integrity of the volcanic maunga as seen from the identified viewing point or line; or</p> <p>(b) to allow development up to a two-storey height to intrude into a volcanic viewshaft, where any adverse effect of development is avoided or mitigated; or</p> <p>(c) to allow development located within an identified height sensitive area up to defined appropriate height limits; or</p> <p>(d) to allow the provision of infrastructure where there are particular functional or operational needs that necessitate a structure that penetrates the floor of a volcanic viewshaft, there is no reasonably practicable alternative and adverse effects of development are avoided or mitigated.</p>							X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(5) Avoid new buildings or structures that exceed two storeys in height in a height sensitive area, except where they would have no adverse effect on the visual integrity of any volcanic maunga to which that height sensitive area relates, as seen from any public place.							X
	(6) Require urban intensification to be consistent with the protection of volcanic features and viewshafts.							X
<b>D17</b>	<b>Historic Heritage</b>							
<b>D17.2 Objectives</b>	(1) The protection, maintenance, restoration and conservation of scheduled historic heritage places is supported and enabled.				X		X	
	(2) Scheduled historic heritage places are protected from inappropriate subdivision, use and development, including inappropriate modification, relocation, demolition or destruction.				X		X	
	(3) Appropriate subdivision, use and development, including adaptation of scheduled historic heritage places, is enabled.				X		X	

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>D17.3 Policies</b>	<p>(3) Enable the use, development and adaptation of scheduled historic heritage places where:</p> <p>(a) it will not result in adverse effects on the significance of the place;</p> <p>(b) it will contribute to the ongoing maintenance and enhancement of the historic heritage values of the place;</p> <p>(c) it is in accordance with good practice conservation principles and methods;</p> <p>(d) it will not result in cumulative adverse effects on the historic heritage values of the place;</p> <p>(e) it will support the long-term viability, retention or ongoing use of the place; and</p> <p>(f) it will not lead to significant adverse effects on the surrounding area.</p>				X		X	
	<p>(7) Require the assessment of the effects for proposed works to scheduled historic heritage places, including where one or more places are affected, to address all the effects on:</p> <p>(a) the heritage values of the place/s;</p> <p>(b) the significance of the place; and</p> <p>(c) the setting and the relationship between places.</p>							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(13) Avoid the total or substantial demolition or destruction of features (including buildings, structures or archaeological sites) within scheduled historic heritage places where it will result in adverse effects (including cumulative adverse effects) on the overall significance of the scheduled historic heritage place to the extent that the place would no longer meet the significance thresholds for the category it has been scheduled.				X		X	
	(14) Avoid the total or substantial demolition or destruction of:				X		X	
	(a) the primary features of Category A* and Category B scheduled historic heritage places;							
	(b) the non-primary features of Category A and A* scheduled historic heritage places; and contributing features within Historic Heritage Areas; unless:							
	(i) the demolition or destruction is required to allow for significant public benefit that could not otherwise be achieved; and							
	(ii) the significant public benefit outweighs the retention of the feature, or parts of the feature, or the place; or							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(iii) the demolition or destruction is necessary to remove a significant amount of damaged heritage fabric to ensure the conservation of the scheduled historic heritage place.							
	(19) Avoid the permanent relocation of features of scheduled historic heritage places unless: <ul style="list-style-type: none"> <li>(a) it is necessary to allow for significant public benefit that could not otherwise be achieved; and</li> <li>(b) the significant public benefit outweighs the value of retaining the feature in its present location.</li> </ul>				X		X	
<b>D19</b>	<b>Auckland War Memorial Museum Viewshaft Overlay</b>							
<b>D19.2 Objective</b>	(1) Significant views to and from the Auckland War Memorial Museum are protected.							X
<b>D19.3 Policy</b>	(1) Prevent the visual intrusion of buildings and structures into current identified views to and from the museum.							X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>D21</b>	<b>Sites and Places of Significance to Mana Whenua</b>							
<b>D21.2 Objectives</b>	(1) The tangible and intangible values of scheduled sites and places of significance to Mana Whenua are protected and enhanced.		X		X			
	(2) Scheduled sites and places of significance to Mana Whenua are protected from inappropriate subdivision, use and development, including inappropriate modification, demolition or destruction.		X		X			
<b>D21.3 Policies</b>	(1) Avoid the physical destruction in whole or in part of sites and places of significance during earthworks.		X		X			
	(2) Avoid significant adverse effects on the values and associations of Mana Whenua with sites and places of significance to them.		X		X			
	(3) Require subdivision, use and development, where adverse effects on sites and places of significance cannot practicably be avoided, to remedy or mitigate those adverse effects by:  (a) enhancing the values of the scheduled site or place of significance and the relationship of Mana Whenua with their tāonga, commensurate with the scale and nature of the proposal;		X		X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(b) incorporating mātauranga, tikanga and Mana Whenua values, including spiritual values;</p> <p>(c) recognising and providing for the outcomes articulated by Mana Whenua through an assessment of environmental effects with Mana Whenua and within iwi planning documents;</p> <p>(d) demonstrating consideration of practicable alternative methods, locations or designs that would avoid or reduce the impact on the values of scheduled sites and places of significance to Mana Whenua; and</p> <p>(e) demonstrating consideration of practical mechanisms to maintain or enhance the ability to access and use the scheduled site or feature for karakia, monitoring, customary purposes and ahikā roa by Mana Whenua.</p>							
	(4) Reflect within the development the relationship of the scheduled site or place of significance within the context of the wider local history and whakapapa.		X		X			
	(5) Recognise that some activities may have such significant adverse effects on Mana Whenua values that they are culturally inappropriate		X		X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	when considering the nature of the scheduled site or place of significance and associated values.							
	(8) Recognise that the intangible values of sites or places of significance can be protected and enhanced even where the site or place has been significantly modified or destroyed.		X		X			
	(11) Require an assessment of environmental effects where proposed works may have adverse effects on the values associated with sites or places of significance to Mana Whenua.		X		X			
<b>D24</b>	<b>Aircraft Noise Overlay<sup>1</sup></b>							
<b>D24.2 Objectives</b>	(1) Airports and airfields are protected from reverse sensitivity effects.			X	X	X		
	(2) The adverse effects of aircraft noise on residential and other activities sensitive to aircraft noise are avoided, remedied or mitigated.			X	X	X		

<sup>1</sup> Policies are not listed as they relate to noise sensitive activities which are assumed to also be noise sensitive to port activities.



CHAPTER E AUCKLAND WIDE – NATURAL RESOURCES, MANA WHENUA, BUILT ENVIRONMENT, INFRASTRUCTURE, ENVIRONMENTAL RISK, SUBDIVISION, TEMPORARY ACTIVITIES

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>E3</b>	<b>Lakes, Rivers, Streams and Wetlands</b>							
<b>E3.2 Objectives</b>	(1) Auckland's lakes, rivers, streams and wetlands with high natural values are protected from degradation and permanent loss.				X			
	(2) Auckland's lakes, rivers, streams and wetlands are restored, maintained or enhanced.				X			
	(3) Significant residual adverse effects on lakes, rivers, streams or wetlands that cannot be avoided, remedied or mitigated are offset where this will promote the purpose of the Resource Management Act 1991				X			
	(4) Structures in, on, under or over the bed of a lake, river, stream or wetland are provided for where there are functional or operational needs for the structure to be in that location, or traverse that area.				X			
	(5) Activities in, on, under or over the bed of a lake, river, stream and wetland are managed to minimise adverse effects on the lake, river, stream or wetland				X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(6) Reclamation and drainage of the bed of a lake, river, stream and wetland is avoided, unless there is no practicable alternative.				X			
<b>E3.3 Policies</b>	<p>(1) Avoid significant adverse effects, and avoid where practicable or otherwise remedy or mitigate other adverse effects of activities in, on, under or over the beds of lakes, rivers, streams or wetlands within the following overlays:</p> <p>(a) D4 Natural Stream Management Areas Overlay;</p> <p>(b) D5 Natural Lake Management Areas Overlay;</p> <p>(c) D6 Urban Lake Management Areas Overlay;</p> <p>(d) D9 Significant Ecological Areas Overlay; and</p> <p>(e) D8 Wetland Management Areas Overlay.</p>				X			
	<p>(2) Manage the effects of activities in, on, under or over the beds of lakes, rivers, streams or wetlands outside the overlays identified in Policy E3.3(1) by:</p> <p>(a) avoiding where practicable or otherwise remedying or mitigating any</p>				X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	adverse effects on lakes, rivers, streams or wetlands; and  (b) where appropriate, restoring and enhancing the lake, river, stream or wetland.							
	(3) Enable the enhancement, maintenance and restoration of lakes, rivers, streams or wetlands.				X			
	(4) Restoration and enhancement actions, which may form part of an offsetting proposal, for a specific activity should:  (a) be located as close as possible to the subject site;  (b) be 'like-for-like' in terms of the type of freshwater system affected;  (c) preferably achieve no net loss or a net gain in the natural values including ecological function of lakes, rivers, streams or wetlands; and  (d) consider the use of biodiversity offsetting as outlined in Appendix 8 Biodiversity offsetting.				X			
	(5) Avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects of				X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>activities in, on, under or over the beds of lakes, rivers, streams or wetlands on:</p> <p>(a) the mauri of the freshwater environment; and</p> <p>(b) Mana Whenua values in relation to the freshwater environment.</p>							
	<p>(6) Manage the adverse effects on Mana Whenua cultural heritage that is identified prior to, or discovered during, subdivision, use and development by:</p> <p>(a) complying with the protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin;</p> <p>(b) undertaking appropriate actions in accordance with mātauranga and tikanga Māori; and</p> <p>(c) undertaking appropriate measures to avoid adverse effects, or where adverse effects cannot be avoided, effects are remedied or mitigated.</p>				X			
	<p>(7) Provide for the operation, use, maintenance, repair, erection, reconstruction, placement, alteration or extension, of any structure or part of any structure in, on, under, or over the bed of a lake, river, stream or wetland, and any associated diversion of water,</p>				X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
--	-----------	--------------	----------------	-----------------	---------	----------	-------------------	-------------------

where the structure complies with all of the following:

- (a) there is no practicable alternative method or location for undertaking the activity outside the bed of the lake, river, stream or wetland;
- (b) the structure is designed to be the minimum size necessary for its purpose to minimise modification to the bed of a lake, river, stream or wetland;
- (c) the structure is designed to avoid creating or increasing a hazard;
- (d) the structure is for any of the following:
  - (i) required as part of an activity designed to restore or enhance the natural values of any lakes, rivers, streams or wetlands and their margins, or any adjacent area of indigenous vegetation or habitat of indigenous fauna;
  - (ii) designed to maintain and/or enhance public access to, over and along any lake, river, stream or wetland and their margins;
  - (iii) necessary to provide access across a lake, river, stream or wetland;
  - (iv) associated with infrastructure;

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(v) necessary for flood protection and the safeguarding of public health and safety; or</li> <li>(vi) required for the reasonable use of production land.</li> <li>(e) the structure avoids significant adverse effects and avoids, remedies or mitigates other adverse effects on Mana Whenua values associated with freshwater resources, including wāhi tapu, wāhi taonga and mahinga kai.</li> </ul>							
	<p>(9) Provide for the excavation, drilling, tunnelling, thrusting or boring or other disturbance, and the depositing of any substance in, on or under the bed of a lake, river, stream or wetland, where it complies with all of the following:</p> <ul style="list-style-type: none"> <li>(a) there is no practicable alternative method or location for undertaking the activity outside the lake, river, stream or wetland;</li> <li>(b) the activity is required for any of the following: <ul style="list-style-type: none"> <li>(i) as part of an activity designed to restore or enhance the natural values of any lake, river, stream or wetland, or any adjacent area of</li> </ul> </li> </ul>				X			

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>indigenous vegetation or habitat of indigenous fauna;</p> <p>(ii) to maintain and/or enhance public access to, over and along any lake, river, stream or wetland and associated margins;</p> <p>(iii) to provide access across a lake, river, stream or wetland;</p> <p>(iv) for the operation, use, maintenance, repair, development or upgrade of infrastructure;</p> <p>(v) to restore, maintain or improve access to wharves and jetties or mooring areas, or to maintain the navigation and safety of existing channels;</p> <p>(vi) to reduce the risk of occurrence or the potential adverse effects of flooding, erosion, scour or sediment depositing;</p> <p>(vii) for the reasonable use of production land; or</p> <p>(viii) to undertake mineral extraction activities and mitigation and following that, offsetting can be practicably implemented.</p> <p>(c) the disturbance avoids significant adverse effects and avoids, remedies or</p>							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	mitigates other adverse effects on Mana Whenua values associated with freshwater resources, including wāhi tapu, wāhi taonga and mahinga kai.							
	<p>(13) Avoid the reclamation and drainage of the bed of lakes, rivers, streams and wetlands, including any extension to existing reclamations or drained areas unless all of the following apply:</p> <p>(a) there is no practicable alternative method for undertaking the activity outside the lake, river, stream or wetland;</p> <p>(b) for lakes, permanent rivers and streams, and wetlands the activity is required for any of the following:</p> <p>(i) as part of an activity designed to restore or enhance the natural values of any lake, river, stream or wetland, any adjacent area of indigenous vegetation or habitats of indigenous fauna;</p> <p>(ii) for the operation, use, maintenance, repair, development or upgrade of infrastructure; or</p> <p>(iii) to undertake mineral extraction activities; and</p>				X			



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(c) the activity avoids significant adverse effects and avoids, remedies or mitigates other adverse effects on Mana Whenua values associated with freshwater resources, including wāhi tapu, wāhi taonga and mahinga kai.							

- (15) Protect the riparian margins of lakes, rivers, streams, and wetlands from inappropriate use and development and promote their enhancement to through all of the following:
- (a) safeguard habitats for fish, plant and other aquatic species, particularly in rivers and streams with high ecological values;
  - (b) safeguard their aesthetic, landscape and natural character values;
  - (c) safeguard the contribution of natural freshwater systems to the biodiversity, resilience and integrity of ecosystems; and
  - (d) avoid or mitigate the effects of flooding, surface erosion, stormwater contamination, bank erosion and increased surface water temperature.

**X**

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>E11</b>	<b>Land Disturbance Regional</b>							
<b>E11.2 Objectives</b>	(1) Land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies or mitigates adverse effects on the environment.	<b>X</b>	<b>X</b>		<b>X</b>		<b>X</b>	<b>X</b>
	(2) Sediment generation from land disturbance is minimised.	<b>X</b>	<b>X</b>		<b>X</b>		<b>X</b>	<b>X</b>
	(3) Land disturbance is controlled to achieve soil conservation.	<b>X</b>	<b>X</b>		<b>X</b>		<b>X</b>	<b>X</b>
<b>E.11.3 Policies</b>	(1) Avoid where practicable, and otherwise mitigate, or where appropriate, remedy adverse effects on areas where there are natural and physical resources that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character.	<b>X</b>	<b>X</b>		<b>X</b>		<b>X</b>	<b>X</b>
	(2) Manage land disturbance to:	<b>X</b>	<b>X</b>		<b>X</b>		<b>X</b>	<b>X</b>
	(a) retain soil and sediment on the land by the use of best practicable options for sediment and erosion control appropriate to the nature and scale of the activity;							
	(b) manage the amount of land being disturbed at any one time, particularly							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>where the soil type, topography and location is likely to result in increased sediment runoff or discharge;</p> <p>(c) avoid, remedy or mitigate adverse effects on accidentally discovered sensitive material; and</p> <p>(d) maintain the cultural and spiritual values of Mana Whenua in terms of land and water quality, preservation of wāhi tapu, and kaimoana gathering</p>							
(3)	<p>Manage the impact on Mana Whenua cultural heritage that is discovered undertaking land disturbance by:</p> <p>(a) requiring a protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin;</p> <p>(b) undertaking appropriate actions in accordance with mātauranga and tikanga Māori; and</p> <p>(c) undertaking appropriate measures to avoid adverse effects. Where adverse effects cannot be avoided, effects are remedied or mitigated.</p>	X	X		X		X	X
(4)	<p>Enable land disturbance necessary for a range of activities undertaken to provide for people and communities social, economic</p>	X	X		X		X	X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	and cultural well-being, and their health and safety.							
(5)	Design and implement earthworks with recognition of existing environmental site constraints and opportunities, specific engineering requirements, and implementation of integrated water principles	X	X		X		X	X
(6)	Require that earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings and structures.	X	X		X		X	X
(7)	Require any land disturbance that will likely result in the discharge of sediment laden water to a surface water body or to coastal water to demonstrate that sediment discharge has been minimised to the extent practicable, having regard to the quality of the environment; with:  (a) any significant adverse effects avoided, and other effects avoided, remedied or mitigated, particularly in areas where there is:  (i) high recreational use;  (ii) relevant initiatives by Mana Whenua, established under regulations relating to the	X	X		X		X	X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>conservation or management of fisheries, including taiāpure, rāhui or whakatupu areas;</p> <p>(iii) the collection of fish and shellfish for consumption; maintenance dredging; or</p> <p>(iv) a downstream receiving environment that is sensitive to sediment accumulation;</p> <p>(b) adverse effects avoided as far as practicable within areas identified as sensitive because of their ecological values, including terrestrial, freshwater and coastal ecological values; and</p> <p>(c) the receiving environments ability to assimilate the discharged sediment being taken into account.</p>							
	(8) Monitor the quality of fresh and coastal water bodies across the region and the effects of land disturbance on water quality and receiving environments.	X	X		X		X	X
<b>E12</b>	<b>Land Disturbance - District</b>							
<b>E12.2 Objectives</b>	(1) Land disturbance is undertaken in a manner that protects the safety of people and avoids, remedies or mitigates adverse effects on the environment.	X	X		X		X	X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>E12.3 Policies</b>	(1) Avoid where practicable, and otherwise, mitigate, or where appropriate, remedy adverse effects of land disturbance on areas where there are natural and physical resources that have been scheduled in the Plan in relation to natural heritage, Mana Whenua, natural resources, coastal environment, historic heritage and special character.	<b>X</b>	<b>X</b>		<b>X</b>		<b>X</b>	<b>X</b>
	(2) Manage the amount of land being disturbed at any one time, to: <ul style="list-style-type: none"> <li>(a) avoid, remedy or mitigate adverse construction noise, vibration, odour, dust, lighting and traffic effects;</li> <li>(b) avoid, remedy or mitigate adverse effects on accidentally discovered sensitive material; and</li> <li>(c) maintain the cultural and spiritual values of Mana Whenua in terms of land and water quality, preservation of wāhi tapu, and kaimoana gathering.</li> </ul>	<b>X</b>	<b>X</b>		<b>X</b>		<b>X</b>	<b>X</b>
	(3) Enable land disturbance necessary for a range of activities undertaken to provide for people and communities social, economic and cultural well-being, and their health and safety.	<b>X</b>	<b>X</b>		<b>X</b>		<b>X</b>	<b>X</b>

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(4) Manage the impact on Mana Whenua cultural heritage that is discovered undertaking land disturbance by:	X	X		X		X	X
	(a) requiring a protocol for the accidental discovery of kōiwi, archaeology and artefacts of Māori origin;							
	(b) undertaking appropriate actions in accordance with mātauranga and tikanga Māori; and							
	(c) undertaking appropriate measures to avoid adverse effects, or where adverse effects cannot be avoided, effects are remedied or mitigated.							
	(5) Design and implement earthworks with recognition of existing environmental site constraints and opportunities, specific engineering requirements, and implementation of integrated water principles.	X	X		X		X	X
	(6) Require that earthworks are designed and undertaken in a manner that ensures the stability and safety of surrounding land, buildings and structures.	X	X		X		X	X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>E15</b>	<b>Vegetation management and biodiversity</b>							
<b>E15.2 Objectives</b>	(1) Ecosystem services and indigenous biological diversity values, particularly in sensitive environments, and areas of contiguous indigenous vegetation cover, are maintained or enhanced while providing for appropriate subdivision, use and development.	X	X	X	X	X	X	X
	(2) Indigenous biodiversity is restored and enhanced in areas where ecological values are degraded, or where development is occurring.	X	X	X	X	X	X	X
<b>E15.3 Policies</b>	(1) Protect areas of contiguous indigenous vegetation cover and vegetation in sensitive environments including the coastal environment, riparian margins, wetlands, and areas prone to natural hazards.	X	X	X	X	X	X	X
	(2) Manage the effects of activities to avoid significant adverse effects on biodiversity values as far as practicable, minimise significant adverse effects where avoidance is not practicable, and avoid, remedy or mitigate any other adverse effects on indigenous biological diversity and ecosystem services, including soil conservation, water quality and quantity	X	X	X	X	X	X	X



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	management, and the mitigation of natural hazards.							
(3)	Encourage the offsetting of any significant residual adverse effects on indigenous vegetation and biodiversity values that cannot be avoided, remedied or mitigated, through protection, restoration and enhancement measures, having regard to Policy E15.3(4) below and Appendix 8 Biodiversity offsetting.	X	X	X	X	X	X	X
(4)	Protect, restore, and enhance biodiversity when undertaking new use and development through any of the following: <ul style="list-style-type: none"> <li>(a) using transferable rural site subdivision to protect areas in Schedule 3 Significant Ecological Areas -Terrestrial Schedule;</li> <li>(b) requiring legal protection, ecological restoration and active management techniques in areas set aside for the purposes of mitigating or offsetting adverse effects on indigenous biodiversity; or</li> <li>(c) linking biodiversity outcomes to other aspects of the development such as the provision of infrastructure and open space.</li> </ul>	X	X	X	X	X	X	X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(5) Enable activities which enhance the ecological integrity and functioning of areas of vegetation, including for biosecurity, safety and pest management and to control kauri dieback.	X	X	X	X	X	X	X
	(6) Enable vegetation management to provide for the operation and routine maintenance needs of activities.	X	X	X	X	X	X	X
	(9) Avoid activities in the coastal environment where they will result in any of the following: (a) non-transitory or more than minor adverse effects on: (i) threatened or at risk indigenous species (including Maui's Dolphin and Bryde's Whale); (ii) the habitats of indigenous species that are at the limit of their natural range or which are naturally rare; (iii) threatened or rare indigenous ecosystems and vegetation types, including naturally rare ecosystems and vegetation types; (iv) areas containing nationally significant examples of indigenous ecosystems or indigenous community types; or	X	X	X	X	X		X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(v) areas set aside for full or partial protection of indigenous biodiversity under other legislation, including the West Coast North Island Marine Mammal Sanctuary.</p> <p>(b) any regular or sustained disturbance of migratory bird roosting, nesting and feeding areas that is likely to noticeably reduce the level of use of an area for these purposes;</p> <p>(c) the deposition of material at levels which would adversely affect the natural ecological functioning of the area; or</p> <p>(d) fragmentation of the values of the area to the extent that its physical integrity is lost.</p>							
	<p>(10) Avoid (while giving effect to Policy E15(9) above) activities in the coastal environment which result in significant adverse effects, and avoid, remedy or mitigate other adverse effects of activities, on:</p> <p>(a) areas of predominantly indigenous vegetation;</p> <p>(b) habitats that are important during the vulnerable life stages of indigenous species;</p>	X	X	X	X	X		X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(c) indigenous ecosystems and habitats that are found only in the coastal environment and are particularly vulnerable to modification, including estuaries, lagoons, coastal wetlands, dunelands, intertidal zones, rocky reef systems, eelgrass and saltmarsh;</p> <p>(d) habitats of indigenous species that are important for recreational, commercial, traditional or cultural purposes including fish spawning, pupping and nursery areas;</p> <p>(e) habitats, including areas and routes, important to migratory species;</p> <p>(f) ecological corridors, and areas important for linking or maintaining biological values; or</p> <p>(g) water quality such that the natural ecological functioning of the area is adversely affected.</p>							
<b>E18</b>	<b>Natural Character of the coastal environment</b>							
<b>E18.2 Objectives</b>	<p>(1) The natural characteristics and qualities that contribute to the natural character of the coastal environment are maintained while providing for subdivision, use and development.</p>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	(2) Where practical the natural character values of the coastal environment are restored or rehabilitated.	X	X	X	X	X		X
<b>E18.3 Policies</b>	<p>(1) Manage subdivision, use and development of land adjoining scheduled outstanding natural character or high natural character areas that have a biophysical or visual linkage with the scheduled area to:</p> <p>(a) avoid adverse effects on the natural characteristics and qualities that contribute to the natural character values of outstanding natural character areas; and</p> <p>(e) avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects, on the characteristics and qualities that contribute to the natural character values of high natural character areas.</p>	X	X	X	X	X		X
	(2) Maintain significant landforms and indigenous vegetation and habitats that are connected to outstanding natural character and high natural character areas.	X	X	X	X	X		X
	(3) Manage the effects of subdivision, use and development in the coastal environment to avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects, on	X	X	X	X	X		X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>the characteristics and qualities that contribute to natural character values, taking into account:</p> <ul style="list-style-type: none"> <li>(a) the location, scale and design of the proposed subdivision, use or development;</li> <li>(b) the extent of anthropogenic changes to landform, vegetation, coastal processes and water movement;</li> <li>(c) the presence or absence of structures, buildings or infrastructure;</li> <li>(d) the temporary or permanent nature of any adverse effects;</li> <li>(e) the physical and visual integrity of the area, and the natural processes of the location;</li> <li>(f) the intactness of any areas of significant vegetation, and vegetative patterns;</li> <li>(g) the physical, visual and experiential values that contribute significantly to the wilderness and scenic values of the area;</li> <li>(h) the integrity of landforms, geological features and associated natural processes, including sensitive landforms such as ridgelines, headlands, peninsulas, cliffs, dunes,</li> </ul>							

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>wetlands, reefs, freshwater springs, streams, rivers and surf breaks;</p> <p>(i) the natural characteristics and qualities that exist or operate across mean high water spring and land in the coastal environment, including processes of sediment transport, patterns of erosion and deposition, substrate composition and movement of biota, including between marine and freshwater environments; and</p> <p>(j) the functional or operational need for infrastructure to be located in a particular area.</p>							
<b>E19</b>	<b>Natural features and natural landscapes in the coastal environment</b>							
<b>E19.2 Objectives</b>	(1) The characteristics and qualities of natural landscapes and natural features which have particular values, provide a sense of place or identity, or have high amenity value, are maintained while providing for subdivision, use and development in the coastal environment.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>
<b>E19.3 Policies</b>	(1) Manage subdivision, use and development in the coastal environment adjoining scheduled outstanding natural landscapes or outstanding natural features to:	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>		<b>X</b>

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<p>(a) protect visual and biophysical linkages between the site and outstanding natural landscapes or outstanding natural features; and</p> <p>(b) avoid adverse cumulative effects on the values of outstanding natural landscapes or outstanding natural features.</p>							
	<p>(2) Manage the effects of subdivision, use and development in the coastal environment to avoid significant adverse effects, and avoid, remedy or mitigate other adverse effects on the characteristics and qualities of natural landscapes and natural features which have particular values, provide a sense of place or identity, or have high amenity values, taking into account:</p> <p>(a) the location, scale and design of the proposed subdivision, use or development;</p> <p>(b) the extent of anthropogenic changes to the natural characteristics and qualities;</p> <p>(c) the presence or absence of structures, buildings or infrastructure;</p> <p>(d) the temporary or permanent nature of any adverse effects;</p>	X	X	X	X	X		X



	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	<ul style="list-style-type: none"> <li>(e) the physical and visual integrity and the natural processes of the location;</li> <li>(f) the intactness of any areas of significant vegetation, and vegetative patterns;</li> <li>(g) the physical, visual and aesthetic values that contribute significantly to the natural landscape's values;</li> <li>(h) the integrity of landforms, geological features and associated natural processes, including sensitive landforms such as ridgelines, headlands, peninsulas, cliffs, dunes, wetlands, reefs, freshwater springs, streams, rivers and surf breaks; and</li> <li>(i) the functional or operational need for infrastructure to be located in a particular area.</li> </ul>							
(3)	<p>Ensure appropriate processes are followed with accidentally discovered natural features of potential significance when trenching or excavating in:</p> <ul style="list-style-type: none"> <li>(a) basalt lava in the Auckland volcanic field;</li> <li>(b) organic deposits of pre-European age; or</li> <li>(c) greater rock strata known to contain fossils.</li> </ul>	X	X	X	X	X		X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
<b>E25</b>	<b>Noise and Vibration</b>							
	(1) People are protected from unreasonable levels of noise and vibration.	X	X	X	X	X	X	X
	(2) The amenity values of residential zones are protected from unreasonable noise and vibration, particularly at night.	X	X	X	X	X	X	X
	(3) Existing and authorised activities and infrastructure, which by their nature produce high levels of noise, are appropriately protected from reverse sensitivity effects where it is reasonable to do so.	X	X	X	X	X	X	X
	(4) Construction activities that cannot meet noise and vibration standards are enabled while controlling duration, frequency and timing to manage adverse effects.	X	X	X	X	X	X	X
<b>E25.3 Policies</b>	(1) Set appropriate noise and vibration standards to reflect each zone's function and permitted activities, while ensuring that the potential adverse effects of noise and vibration are avoided, remedied or mitigated.	X	X	X	X	X	X	X
	(2) Minimise, where practicable, noise and vibration at its source or on the site from	X	X	X	X		X	X

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Kumeu Inland Port	Ports of Auckland
	which it is generated to mitigate adverse effects on adjacent sites							
(3)	Encourage activities to locate in zones where the noise generated is compatible with other activities and, where practicable, adjacent zones.	X	X	X	X	X	X	X
(5)	Prevent significant noise-generating activities other than roads and railway lines from establishing in or immediately adjoining residential zones.	X	X	X	X	X	X	X

## Auckland Unitary Plan Provisions

Green shading within the table indicates a directive provision that may present a consenting challenge.

CHAPTER F COASTAL – GENERAL COASTAL MARINE ZONE, COASTAL TRANSITION ZONE							
Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
F2	Coastal General Coastal Marine Area						
Objective F2.2.2	(1)	The adverse environmental effects of reclamation, drainage or declamation on the coastal marine area are avoided, remedied, or mitigated.	X	X	X	X	X
	(2)	The natural character, ecological values and natural coastal processes of the coastal marine area are not adversely affected by inappropriate reclamation, drainage or declamation.	X	X	X	X	X
	(3)	Public access, amenity and Mana Whenua values are not adversely affected by inappropriate reclamation, drainage or declamation.	X	X	X	X	X
F2.2.3 Policies	(1)	Avoid reclamation and drainage in the coastal marine area except where all of the following apply:  (a) the reclamation will provide significant regional or national benefit;	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<ul style="list-style-type: none"> <li>(b) there are no practicable alternative ways of providing for the activity including locating it on land outside the coastal marine area;</li> <li>(c) efficient use will be made of the coastal marine area by using the minimum area necessary to provide for the proposed use, or to enable drainage.</li> </ul>						
(2) Where reclamation or drainage is proposed that affects an overlay, manage effects in accordance with the overlay policies.	X	X	X	X	X	
(3) Provide for reclamation and works that are necessary to carry out any of the following:	X	X	X	X	X	
<ul style="list-style-type: none"> <li>(a) maintain or repair a reclamation;</li> <li>(b) enable the repair and upgrade of existing reclamations and seawalls, by way of minor reclamation;</li> <li>(c) carry out rehabilitation or remedial works;</li> <li>(d) maintain or enhance public access or linkages with public open space to, within or adjacent to the coastal marine area;</li> <li>(e) enable the construction and/or efficient operation of infrastructure, including but not limited to, ports, airports, roads, pipelines, electricity transmission, railways, ferry terminals, and electricity generation; or</li> <li>(f) create or enhance habitat for indigenous species where degraded areas of the</li> </ul>						

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
coastal environment require restoration or rehabilitation.						
(5) Require proposals for reclamation to mitigate effects through the form and design of reclamation as far as practicable, taking into account the following:  (a) the shape of the reclamation, and the extent to which the materials used are visually compatible with the adjoining coast; and  (b) the ability to avoid consequential changes to coastal processes, including erosion and accretion.	X	X	X	X	X	
(6) Consider where the adverse effects of drainage or reclamation cannot be completely avoided, remediated or mitigated on site, compensating for those adverse effects by additional or enhanced public access or public facilities or environmental enhancement or restoration.	X	X	X	X	X	
(7) Require the design of reclamations to take into account the potential effects of climate change, including sea level rise, over 100 years.	X	X	X	X	X	
(8) Maintain and where possible enhance public access to and along the coastal marine area to the extent practicable in providing for reclamation, declamation and drainage, having regard to all of the following:	X	X	X	X	X	

Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
	(a) the purpose and proposed use of the area;						
	(b) whether a restriction on public access is necessary for public health, safety or operational reasons; and						
	(c) the ability to remedy or mitigate any loss of public access.						
	(9) Require an esplanade reserve or strip to be included on reclaimed or drained areas of the coastal marine area, unless a restriction on public access is provided for under B8.4.2(3) in B8.4 Public access and open space.	X	X	X	X	X	
	(10) Enable the beneficial use of dredged material in reclamations, including where stabilised with cement.	X	X	X	X	X	
	(11) Avoid using contaminated materials in reclamation, unless any contaminants are contained in a way that avoids, remedies or mitigates other adverse effects on water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area.	X	X	X	X	X	
<b>F2.3.2 Objectives</b>	(1) Depositing of material in the coastal marine area is undertaken in appropriate locations to provide for public benefit including erosion management or habitat enhancement and the beneficial use of dredged material.	X	X	X	X	X	X
	(2) Areas identified as having significant values are not adversely affected by material being	X	X	X	X	X	X

Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
	deposited or disposed of in the coastal marine area.						
(3)	The adverse effects from the disposal of material, particularly any contaminated material, are minimised, where reasonably practicable, or otherwise avoided, remedied or mitigated.	X	X	X	X	X	X
(4)	The depositing or disposal of material in the coastal marine area must not have significant adverse effects on the ecological, recreational, cultural, and amenity values of the Hauraki Gulf.	X	X				X
(5)	The depositing and disposal of material in the coastal marine area must avoid, remedy or mitigate the spread of harmful aquatic organisms.	X	X	X	X	X	X
<b>F2.3.3 Policies</b>	(2) Provide for the disposal of contaminated material in an approved reclamation where any contaminants are contained in a way that avoids, remedies or mitigates adverse effects on water quality, aquatic ecosystems and indigenous biodiversity in the coastal marine area.	X	X	X	X	X	X
(3)	Avoid the disposal of material in the Hauraki Gulf Marine Park other than where it is part of: (a) an approved reclamation;	X	X				X



Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<ul style="list-style-type: none"> <li>(b) a rehabilitation or restoration programme in degraded areas of the coastal marine area; or</li> <li>(c) provided for in accordance with section 15B of the Resource Management Act 1991 or Part 3 of the Resource Management (Marine Pollution) Regulations 1998</li> </ul>						
<p>(4) Avoid the disposal of material in the coastal marine area where it will have significant adverse effects on any of the following:</p> <ul style="list-style-type: none"> <li>(a) sites scheduled in the D17 Historic Heritage Overlay or scheduled in the D21 Sites and Places of Significance to Mana Whenua Overlay; or</li> <li>(b) significant surf breaks identified in Appendix 4 Surf breaks.</li> </ul>	X	X	X	X	X	X
<p>(5) Avoid the disposal of material where it will have adverse effects on significant navigation channels.</p>	X	X	X	X	X	X
<p>(6) Avoid the disposal of solid inorganic waste or other matter, such as vessels, or structures in the coastal marine area, unless any of the following applies:</p> <ul style="list-style-type: none"> <li>(a) it is for environmental, scientific, cultural, amenity or social benefits and the adverse effects associated with the disposal can be avoided as far as practicable, or remedied or mitigated;</li> </ul>	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<ul style="list-style-type: none"> <li>(b) there is no practicable alternative method for removal of the vessel, platform or structure from the coastal marine area and its subsequent disposal onto land;</li> <li>(c) there will be less environmental effect from disposing of the vessel, platform or structure in the coastal marine area than on land;</li> <li>(d) the proposed disposal area will not interfere with or adversely affect other users of the coastal marine area; or</li> <li>(e) the disposal is part of an approved reclamation.</li> </ul>						
<p>(7) Avoid significant adverse effects from the disposal of material, other than the disposal of material in approved reclamations and determine the appropriateness of proposals by taking into account all of the following:</p> <ul style="list-style-type: none"> <li>(a) the volume of material;</li> <li>(b) the degree of contamination and resulting effects on water quality, sediment quality and ecology;</li> <li>(c) the presence of harmful aquatic organisms in the material to be disposed of and the risk of introducing these into areas where they are not present;</li> <li>(d) the sensitivity of the receiving environment, with particular reference to natural character and ecological values;</li> </ul>	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
(e) the public use of the area;						
(f) the characteristics of the disposal area, with particular reference to the potential for contaminants to be released from the area, and the potential for resuspension of the material;						
(g) the disposal technique, and for dredged material, the water content or solidity of the material at the time of disposal;						
(h) available alternative disposal techniques, including stabilisation, use as mudcrete, or disposing of the material on land; and						
(i) the other matters contained in Schedule 3 of the Resource Management (Marine Pollution) Regulations 1998.						
(9) Require the disposal of material to be undertaken in an area that will minimise the spread or loss of sediment and other contaminants to the surrounding seabed and coastal waters, or demonstrate that the site is the best practicable option given the type of material to be disposed of.	X	X	X	X	X	X
(10) Require proposals to dispose of material in a dispersive environment to ensure that the adverse effects associated with the release and spread of contaminants and sediment can be avoided, remedied or mitigated.	X	X	X	X	X	X
(11) Require any disposal of material to be undertaken at a location and time that will	X	X	X	X	X	X

Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
avoid, remedy or mitigate adverse effects on all of the following:							
(a) the ecological function of the area, such as the growth and reproduction of marine and coastal fauna and flora, including feeding and spawning habitats and migratory pathways;							
(b) other established activities, including recreational and commercial use; and							
(c) water quality, including any contributing factors which may lead to or promote algal blooms.							
<b>F2.4.2 Objectives</b>	(1) The adverse environmental effects on the coastal marine area from dredging are avoided, remedied, or mitigated.	X	X	X	X	X	X
	(2) Adequate water depth is provided and maintained, particularly in navigation channels, around structures, and marinas, to ensure safe and efficient navigation, use and operation of activities in the coastal marine area.	X	X	X	X	X	X
	(3) The safe and efficient operation of infrastructure and marinas are enabled, through undertaking dredging where necessary.	X	X	X	X	X	X
<b>F2.4.3 Policies</b>	(1) Enable dredging to provide for the ongoing safe and efficient use of navigational channels, the Coastal – Minor Port Zone, the Coastal – Defence Zone, the Coastal – Ferry Terminal						X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
Zone and the Coastal – Marina Zone, the City Centre waterfront precincts and infrastructure.						
(2) Enable dredging to be undertaken to minimise the risk of flooding and erosion, including dredging that is necessary for:	X	X	X	X	X	X
(a) clearing, cutting or realigning stream or river mouths or watercourses for drainage purposes;						
(b) clearing the exit of any lawful stormwater outfall or pipe and surrounds;						
(c) maintaining efficient water flow to reduce the risk of flooding and erosion; and						
(d) maintaining structures and removing hazards to recreational and commercial users.						
(3) Manage dredging outside the Port Precinct, the Central Wharves Precinct and the Waitemata Navigation Channel Precinct so that it will to be undertaken at times of the day or year that will:	X	X	X	X	X	X
(a) avoid as far as practicable, remedy or mitigate, adverse effects on marine mammals, bird roosting, nesting and feeding; and						
(b) minimise adverse effects on recreational and commercial users of the coastal marine area.						
(4) Manage dredging activities so that they do not:	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<ul style="list-style-type: none"> <li>(a) cause or exacerbate erosion within the coastal marine area or on adjacent land;</li> <li>(b) cause damage to any existing lawful structures;</li> <li>(c) result in the permanent loss of any habitat of a rare or endangered species;</li> <li>(d) result in adverse effects on significant surf breaks identified in <a href="#">Appendix 4 Surf breaks</a>;</li> <li>(e) result in significant adverse effects on sites scheduled in the <a href="#">D17 Historic Heritage Overlay</a> or/and scheduled in the <a href="#">D21 Sites and Places of Significance to Mana Whenua Overlay</a>; and</li> <li>(f) result in any seabed disturbance and resulting turbidity other than that which is localised and limited in duration.</li> </ul>						
(5) Require best practicable methods and procedures to be used for the dredging of contaminated sediments, and for sediment or contaminant mobilisation and dispersal to be minimised.	X	X	X	X	X	X
(6) Require the development or redevelopment of marinas, wharves, piers and berths, outside of the Coastal – Minor Port Zone, the Coastal – Defence Zone, the Coastal – Ferry Terminal Zone, the Coastal – Marina Zone and the City Centre waterfront precincts, to be designed and located to minimise the need for dredging including by assessing whether there are	X	X	X	X	X	X

Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
reasonable practicable alternatives to provide for a use or activity which would avoid or reduce the need for dredging.							
<b>F2.5.2 Objectives</b>	(1) Use and development in the coastal marine area that has only short term and minor impacts on the foreshore and seabed is enabled.	X	X	X	X	X	X
	(2) Activities that have long-term impacts or involve more than a minor level of disturbance avoid, remedy or mitigate adverse effects on natural character, ecological values, coastal processes, historic heritage and Mana Whenua values.	X	X	X	X	X	X
<b>F2.5.3 Policies</b>	(1) Enable use and development in the coastal marine area that results in a minor level of disturbance to the foreshore and seabed, or that can be remedied by wave and tidal processes.	X	X	X	X	X	X
	(2) Provide for the disturbance of the foreshore and seabed outside areas identified as having significant values, for the purposes of the following: <ul style="list-style-type: none"> <li>(a) existing or new infrastructure or drainage systems or where the disturbance is in an appropriate location;</li> <li>(b) the operation, maintenance, repair, reconstruction and use of existing lawful structures, or infrastructure;</li> </ul>	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<ul style="list-style-type: none"> <li>(c) the safe and efficient functioning of drainage systems;</li> <li>(d) public health and safety; or</li> <li>(e) the normal operation of vessels.</li> </ul>						
(3) Provide for the disturbance of the foreshore or seabed that is necessary to protect, maintain or enhance historic heritage or Mana Whenua values, geological, ecological or habitat values, or for public access or research, where this is consistent with maintaining the values of the area.	X	X	X	X	X	X
(4) Limit the area of foreshore and seabed disturbance to the extent practicable and for the works to be done at a time of day or year, that will avoid, remedy or mitigate adverse effects on all of the following: <ul style="list-style-type: none"> <li>(a) the feeding, spawning and migratory patterns of marine and coastal fauna, including bird roosting, nesting and feeding;</li> <li>(b) stability of coastal features such as dunes and coastal vegetation;</li> <li>(c) public access, recreational and commercial use of the coastal marine area;</li> <li>(d) other established activities;</li> <li>(e) traditional gathering, collection or harvest of kaimoana by Mana Whenua; and</li> </ul>	X	X	X	X	X	X



Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
	(f) historic heritage and Mana Whenua values.						
(5)	Require activities or works to be done by methods, at times and in conditions that will avoid, remedy or mitigate adverse effects arising from the release of sediment and contaminants into coastal water.	X	X	X	X	X	X
(6)	Avoid disturbance of the foreshore and seabed that will result in the following: (a) significant changes to natural coastal processes that will have adverse effects on surf breaks identified in <a href="#">Appendix 4 Surf breaks</a> ; and (b) cause or exacerbate coastal erosion.	X	X	X	X	X	X
(7)	Require where practicable visible disturbance of the foreshore or seabed to be remedied or restored upon completion of works to be in keeping with the natural character and visual amenity of the area that has been disturbed.	X	X	X	X	X	X
<b>F2.7.2 Objectives</b>	(1) The ecological value of mangroves is recognised and mangroves are retained in areas where they have significant ecological value.				X		
	(2) Mangroves are retained in areas where they perform an important role in mitigating coastal hazards.				X		

	Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
	(3) Restore or maintain natural character and ecological values including significant wading bird areas, public access, navigation, riparian access and amenity values.				X		
	(4) Sediment deposition within the coastal marine area, that facilitates ongoing mangrove colonisation and spread, is reduced.				X		
	(5) Mana Whenua values, mātauranga and tikanga are recognised and reflected in mangrove management.				X		
<b>F2.7.3 Policies</b>	<p>(1) Avoid the removal of mangroves from any of the following:</p> <ul style="list-style-type: none"> <li>(a) areas having significant ecological or natural character values of which mangroves are an important component, or in other areas where mangroves can provide significant ecological values;</li> <li>(b) areas of active coastal erosion where mangroves have historically provided a buffer against coastal processes causing erosion; or</li> <li>(c) areas where the sediments contain high levels of contaminants at risk of being re-suspended.</li> </ul>				X		
	(2) Encourage an assessment of sediment inputs in the area and promote catchment initiatives to reduce sediment and nutrient inputs when mangrove removal activities are proposed.				X		

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<p>(3) Provide for mangrove removal where mangroves have spread and the proposed removal is necessary to maintain, restore or enhance any of the following:</p> <p>(a) natural character, biodiversity and ecological values, including significant wading bird feeding or roosting areas, that existed prior to the spread of the mangroves;</p> <p>(b) public access to or along the coastal marine area;</p> <p>(c) connections with reserves or publicly owned land and the sea;</p> <p>(d) public use and amenity values;</p> <p>(e) water access for vessels and navigation, including waka portage routes;</p> <p>(f) public health and safety, including sightlines and traffic safety;</p> <p>(g) mahinga mātaītai, access to the coast from marae, or to areas of traditional use;</p> <p>(h) scheduled historic heritage places or natural features; or</p> <p>(i) operation and development of infrastructure.</p>				X		
<p>(4) Require mangrove removal operations to meet all of the following:</p>				X		

Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
	(a) minimise the disturbance of the foreshore and seabed and to shorebird breeding and feeding, including migratory species;						
	(b) minimise sediment and contaminant discharges;						
	(c) avoid the burning of removed mangroves as the method of disposal in the coastal marine area and require that disposal of removed mangroves outside the coastal marine area, unless Policy F2.7.3(4)(d) applies (other than for burning);						
	(d) provide evidence that the disposal method will not result in more than minor adverse effects on the coastal marine area where landward disposal is not proposed;						
	(e) take an adaptive management approach for mangrove removal and disposal where a significant area of removal is proposed and there is uncertainty over the extent of adverse effects; and						
	(f) provide for the long-term maintenance of cleared areas.						
<b>F2.10.2 Objectives</b>	(1) The taking, use or diversion of coastal water is enabled while the environmental values of the coastal marine area are protected.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
<b>F2.10.3 Policies</b>	(1) Enable the taking or use of coastal water for the normal operational needs of vessels or for firefighting purposes.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<p>(2) Provide for taking, use or diversion of coastal water, or taking or using heat or energy from coastal water, where adverse effects can be avoided, remedied or mitigated on any of the following:</p> <p>(a) the identified natural character of the coastal environment;</p> <p>(b) adjacent land uses; or</p> <p>(c) significant marine habitats or identified outstanding natural features; and</p> <p>(d) where the activity will not:</p> <p>(i) result in the abstraction of significant numbers of marine organisms;</p> <p>(ii) produce significant changes in water levels, current velocity and sediment transport patterns which would increase sedimentation, result in scouring, or change existing dynamic coastal processes;</p> <p>(iii) result in significant adverse effects on water quality; and</p> <p>(iv) produce significant changes in water temperature.</p>	X	X	X	X	X	X
<p>(3) Avoid damming or impoundment of coastal water unless:</p> <p>(a) it is necessary to enable the construction, operation or maintenance of significant infrastructure; or</p>	X	X	X	X	X	X

Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
	(b) it is for habitat protection; and (c) a location on land or other method is not available;						
	(4) Provide for damming or impoundment of coastal water where Policy F2.10.3(3)(a),(b) or (c) apply, having regard to the following: (a) there is significant public benefit; (b) the positive effects on the environment are sufficient to mitigate the adverse effects; and (c) there are no significant adverse cumulative effects.	X	X	X	X	X	X
<b>F2.11.2 Objectives</b>	(1) Water and sediment quality in the coastal marine area is maintained where it is excellent or good and progressively improved over time in degraded areas.	X	X	X	X	X	X
	(2) The life-supporting capacity and resources of the Hauraki Gulf are protected and, where appropriate, enhanced.	X	X				X
	(3) Stormwater and wastewater networks protect public health and safety by preventing or minimising the adverse effects of contaminants on the coastal water quality.	X	X	X	X	X	X
<b>F2.11.3 Policies</b>	(1) Avoid the discharge of contaminants where it will result in significant modification of, or	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
damage to any areas identified as having significant values.						
(2) Require any proposal to discharge contaminants or water into the coastal marine area to adopt the best practicable option to prevent or minimise adverse effects on the environment, having regard to all of the following:	X	X	X	X	X	X
(a) whether it is practicable or appropriate to discharge to land above mean high water springs;						
(b) whether there is a wastewater network in place that should be used;						
(c) whether the receiving environment has the capacity to assimilate the discharged contaminants after reasonable mixing, particularly within areas identified as degraded or as having significant ecological value;						
(d) the extent to which present or foreseeable future adverse effects have been avoided, remedied or mitigated on:						
(i) areas of high recreational use;						
(ii) relevant initiatives by Mana Whenua established under regulations relating to the conservation or management of fisheries;						
(iii) the collection of fish and shellfish for consumption; and						

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<ul style="list-style-type: none"> <li>(iv) areas associated with maintenance dredging;</li> <li>(e) high ecological values;</li> <li>(f) cleaner production methods are used where practicable to minimise the volume and level of contaminants being discharged; and</li> <li>(g) the discharge after reasonable mixing, does not either by itself or in combination with other discharges results in any or all of the following effects: <ul style="list-style-type: none"> <li>(i) oil or grease films, scums or foams, or floatable or suspended materials;</li> <li>(ii) conspicuous change in the colour or visual clarity;</li> <li>(iii) any emission of objectionable odour;</li> <li>(iv) any significant adverse effects on aquatic life; or</li> <li>(v) any significant effects of aesthetic or amenity values.</li> </ul> </li> </ul>						
<p>(3) Provide for discharges that are unavoidable but intermittent, where:</p> <ul style="list-style-type: none"> <li>(a) the discharge occurs infrequently;</li> <li>(b) there are technical and practical difficulties which prevent measures being taken to avoid, remedy or mitigate adverse effects of the discharge; or</li> </ul>	X	X	X	X	X	X



Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
(c) there is an appropriate programme, consistent with the best practicable option approach, in place to prevent or minimise adverse effects within a reasonable timeframe.						
(4) Minimise, to the extent practicable, the discharge of contaminants in areas that require maintenance dredging.	X	X	X	X	X	X
(5) Encourage source control of contaminants, through the management of land use and discharges, as a method to prevent or minimise contaminant generation and discharge to coastal receiving environments, where source contaminant control devices and methods can practicably be installed and maintained on an ongoing basis.	X	X	X	X	X	X
(6) Reduce the amount of litter entering coastal waters, and mitigate the effects of litter disposal, by encouraging design, maintenance and management initiatives, for discharge structures, road cleaning and other activities, that will help minimise the amount of litter discharged into the coastal marine area.	X	X	X	X	X	X
(7) Enable discharges associated with new or redevelopment of infrastructure to meet the economic and social needs of people and communities, taking into account all of the following:	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<ul style="list-style-type: none"> <li>(a) the practicability of upgrading the part of the infrastructure at issue, the state of the infrastructure and the costs of upgrading it;</li> <li>(b) public health priorities;</li> <li>(c) the nature of both the receiving environment and the discharge;</li> <li>(d) priorities for flooding and inundation protection;</li> <li>(e) the operational need for stormwater or wastewater infrastructure and associated discharges to be located in the coastal marine area; and</li> <li>(f) Policies E1.3(8) – (14), (17) – (21) of E1 Water quality and integrated management;</li> </ul>						
(9) Require operators of ports, marinas, ferry terminals and other marine facilities to take all practicable steps to prevent contamination of coastal waters, substrate, ecosystems and habitats that is more than minor.	X	X	X	X	X	X
(10) Require adequate and convenient facilities in ports, marinas, ferry terminals and other marine facilities for the containment, collection and appropriate disposal of:	X	X	X	X	X	X
<ul style="list-style-type: none"> <li>(a) sewage, bilge water and litter from vessels;</li> <li>(b) recyclable material including waste oils;</li> <li>(c) residues from vessel servicing, construction, maintenance and repair;</li> </ul>						

Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
	(d) spills from refuelling operations and refuelling equipment;						
	(e) spills, residues and debris from cargo operations; and						
	(f) the discharge of stormwater generated from the port facilities, including facilities located above mean high water springs.						
<b>F2.13.2 Objectives</b>	(1) The risk of introducing or spreading harmful aquatic organisms from vessel biofouling is minimised.	<b>X</b>	<b>X</b>				<b>X</b>
	(2) The risk of introducing contaminants, including harmful aquatic organisms, from the in-water cleaning of vessels near the shores of Hauraki Gulf Marine Park Islands which have conservation status is minimised.						
<b>F2.13.2 Policies</b>	(3) Avoid in-water cleaning or boat maintenance activities being undertaken on the foreshore and marine area surrounding the Hauraki Gulf conservation islands, to reduce the risk from contaminants, including harmful aquatic organisms, adversely affecting the natural values of these islands	<b>X</b>	<b>X</b>				<b>X</b>
<b>F2.14.2 Objectives</b>	(1) The high public value of the coast and coastal marine area as open space area with free public access is maintained.	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
	(2) Occupation rights are provided for in appropriate locations, and in appropriate circumstances for use and development that has a functional need to be located in the	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
common marine and coastal area, and for infrastructure that has an operational need to be located below mean high water springs and cannot be practicably located on land.						
(3) Limit exclusive occupation to where it can be demonstrated it is necessary for the efficient functioning of the use and development or is needed for public safety, and any loss of public access and use as a result is minimised and mitigation is provided where practicable.	X	X	X	X	X	X
(4) Efficient use is made of coastal marine area by consolidating use and development within appropriate areas, where practicable.	X	X	X	X	X	X
(5) Activities that do not have a functional or operational need to be undertaken in the common marine and coastal area are provided for within zones or precincts only where they can demonstrate:	X	X	X	X	X	X
(a) the need for a common marine and coastal area location;						
(b) they cannot practicably be located on land outside of the coastal marine area; and						
(c) they are consistent with the use and value of the area, including the adjacent land area, and do not compromise natural character, ecological, public access, Mana Whenua, historic heritage, or amenity values.						

Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
(6)	Activities that do not have a functional or operational need to be undertaken in the coastal marine area do not unduly limit the use of areas for marine and port activities or result in adverse cumulative effects.	X	X	X	X	X	X
(7)	Use and development in the coastal marine area is supported by all necessary land-based access and infrastructure.	X	X	X	X	X	X
(8)	Short-term occupation that restricts public access for a limited period to enable special events and activities to be undertaken in the common marine and coastal area is allowed.	X	X	X	X	X	X
(9)	Limited expansion of marinas existing at the date of notification into the Coastal – General Coastal Marine Zone is provided for, provided there is adequate infrastructure to support the expansion and adverse effects on the coastal environment are avoided, remedied or mitigated.	X	X	X	X	X	X
<b>F2.14.3 Policies</b>	<p>(1) Enable use and occupation of the common marine and coastal area to provide for use and development that:</p> <p>(a) has a functional or operational need to be below mean high water springs and may require public access to be restricted; or</p> <p>(b) is necessary to provide for the use of the coastal marine area by Mana Whenua for Māori cultural activities and customary uses; and</p>	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
(c) will not compromise or limit the operation of existing activities that have occupation rights within the common marine and coastal area.						
(2) Provide for exclusive occupation rights in the common marine and coastal area only where it can be demonstrated this is necessary for the efficient functioning of the use and development or is needed for public safety, and will enable the most efficient use of space by activities in the common marine and coastal area and require that the loss of public access and recreational use is mitigated.	X	X	X	X	X	X
(3) Avoid use and occupation of the common marine and coastal area by activities that do not have a functional need to be undertaken below mean high water springs, unless the proposed use:	X	X	X	X	X	X
(a) can demonstrate it needs to be located in the common marine and coastal area and cannot practicably be located on land outside of the common marine and coastal area;						
(b) is consistent with the objectives and policies for the relevant zone or precinct;						
(c) will enhance amenity values and not conflict with marine activities; or						
(d) any necessary land-based infrastructure can be provided.						

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
(4) Avoid granting rights of exclusive occupation in areas with high public use and where it will have a significant adverse effect on public access and recreational use of the common marine and coastal area.	X	X	X	X	X	X
(5) Provide for use and occupation of the common marine and coastal area by infrastructure, where it does not have a functional need to locate in the common marine and coastal area but has an operational need, and only where it cannot be practicably located on land and avoids, remedies, or mitigates other adverse effects on:	X	X	X	X	X	X
(a) the existing use, character and value of the area;						
(b) public access, recreational use and amenity values;						
(c) natural character and scenic values, from both land and sea;						
(d) water quality and ecological values;						
(e) coastal processes including erosion;						
(f) other lawfully established use and development in the coastal marine area or on adjoining land;						
(g) the anticipated future use of the area for marine activities; and						
(h) Mana Whenua or historic heritage values.						
(7) Enable temporary occupation of the common marine and coastal area by structures or	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
activities associated with events or temporary activities, while minimising adverse effects on public access, use, and ensuring safety.						
(8) Limit the time that vessels can anchor in the same position and occupy water space within the Coastal – General Coastal Marine Zone, other than is necessary for navigational safety, accident or emergency reasons.	X	X	X	X	X	X
(10) Require any proposed use and development for activities in the common marine and coastal area to demonstrate that any necessary land-based access and infrastructure can be appropriately provided for.	X	X	X	X	X	X
(11) Determine the appropriate duration for granting rights of occupation having regard to the:	X	X	X	X	X	X
(a) extent of public use and access of the area and the impact of restrictions on the loss of public use and access;						
(b) level of investment in the development and need for security of tenure to ensure its financial and economic viability and/or long term public benefit;						
(c) land use and coastal development changes proposed in the vicinity through any statutory management strategies or plans that anticipate a change in public use and access in the area; and						



Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
(d) term of other consents in the vicinity, and the strategic benefit of all consents in an area expiring simultaneously.							
<b>F2.16.2 Objectives</b>	(1) Structures are generally limited to those that have a functional need to be located in the coastal marine area, or those that have an operational need and that cannot be practicably located outside of the coastal marine area.	X	X	X	X	X	X
	(2) Structures provide for public access and multiple uses where practicable, other than those restricted by location or functional requirements.	X	X	X	X	X	X
	(3) Structures are appropriately located and designed to minimise adverse effects on the ecological, natural character, landscape, natural features, historic heritage and Mana Whenua values of the coastal marine area, and avoid to the extent practicable the risk of being adversely affected by coastal hazards.	X	X	X	X	X	X
	(4) Structures are provided in appropriate locations to enable Māori cultural activities and customary use.	X	X	X	X	X	X
<b>F2.16.3 Policies</b>	(1) Limit structures to the following:	X	X	X	X	X	X
	(a) those that generally have a functional need to be located in the coastal marine area, or that have an operational need and						

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
cannot be practicably be located outside of the coastal marine area;						
(b) where the proposed purpose or use cannot practicably be accommodated on existing structures or facilities;						
(c) those that are necessary to provide access to land where there are no practicable land-based access options, and there is no existing structure in close proximity that could provide reasonable access; and						
(d) locations where the purpose and frequency of use warrants the proposed structure, and an alternative that would have lesser effects is not a practicable option.						
(2) Avoid adverse cumulative impacts from structures in the Coastal – General Coastal Marine Zone taking into account the number of structures in the immediate and surrounding area.	X	X	X	X	X	X
(3) Limit the impacts from structures associated with infrastructure by:	X	X	X	X	X	X
(a) requiring an assessment of any practicable alternative sites, routes or designs where it is likely that the proposed structure will result in any significant adverse effect on the environment, including land-based alternatives, to demonstrate that the chosen option is appropriate taking into account the purpose and use of the structure and that the adverse effects will be avoided to						

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
the extent practicable, and will otherwise be remedied or mitigated;						
(b) concentrating infrastructure structures, including pipelines, cables and transmission structures, in locations where similar, or other infrastructure, already exists where reasonably practicable;						
(c) ensuring that where practicable cables and transmission structures are located beneath the seabed to avoid the need for anchoring or fishing restrictions; and						
(d) encouraging structures for infrastructure to be multifunctional where practicable.						
(4) Enable the maintenance, repair, reconstruction and upgrade of existing lawful structures, including where necessary to comply with applicable standards and codes.	X	X	X	X	X	X
(5) Enable the extension or alteration of existing structures in locations where they will:						X
(a) not have significant adverse effects on other uses and values;						
(b) result in greater, more efficient, or multiple use of the structure; or						
(c) reduce the need for new structures elsewhere.						
(6) Require structures to be located to avoid significant adverse effects and avoid, remedy	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<p>or mitigate other adverse effects on the values of areas identified as:</p> <p>(a) D17 Historic Heritage Overlay;</p> <p>(b) D21 Sites and Places of Significance to Mana Whenua Overlay;</p> <p>(c) D11 Outstanding Natural Character and High Natural Character overlays;</p> <p>(d) D10 Outstanding Natural Features Overlay; and Outstanding Natural Landscapes Overlay; and</p> <p>(e) significant surf breaks identified in Appendix 4 Surf breaks, including the recreation, amenity and economic values, and taking into account any effects on coastal processes, currents, water levels, seabed morphology and swell corridors that contribute to significant surf breaks.</p>						
<p>(7) Require structures in the Coastal – General Coastal Marine Zone to be located to minimise:</p> <p>(a) impacts on other coastal activities, including activities provided for in zones or resource consents;</p> <p>(b) adverse effects on recreational use, including popular anchorage areas;</p> <p>(c) adverse effects on public access to and along the coastal marine area;</p> <p>(d) visual impacts, particularly in areas sensitive to effects such as headlands or the outer</p>	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
edges of enclosed bays, as seen from both land and water;						
(e) the size of the structure, including its size in relation to wharves and jetties and consider providing for partial rather than all-tide access, unless this is not a practicable option given the function and frequency of use;						
(f) the risk of being affected by coastal hazards including sea level rise;						
(g) the need for dredging, including ongoing dredging to maintain water access; and						
(h) adverse effects on scheduled sites and places of significance to Mana Whenua.						
(8) Require structures to be designed to:	X	X	X	X	X	X
(a) be the minimum size reasonably necessary to provide for the proposed use;						
(b) be multi-purpose where practicable and where it will not conflict with operational or safety requirements; (c) minimise impacts on natural character and amenity values and generally fit with the character of any existing built elements, including in the use of materials and colours having regard to safety requirements;						
(d) not increase rates of coastal erosion; and						
(e) take into account dynamic coastal processes, including the expected effects of climate change and sea level rise.						

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
(9) Have regard to the value of retaining the natural character of areas where structures are absent, taking into account the area's uniqueness and value because of the absence of structures.	X	X	X	X	X	X
(10) Require the building material used for structures to be appropriately marine treated, or if relocated or recycled building material or structures are used, that it is treated or cleaned to prevent the transference or introduction of harmful aquatic organisms.	X	X	X	X	X	X
11) Require buildings in the coastal marine area to be of a scale, location and design that is appropriate to its context.	X	X	X	X	X	X
(12) Enable structures in appropriate locations where the structure is to provide, or enhance:  (a) public access, use or amenity values, including artworks in the coastal marine area; and  (b) access to the coast by Mana Whenua for customary uses and cultural activities, and for access to the coast from papakāinga, marae or Māori land.	X	X	X	X	X	X
(13) Require structures to provide for public access and reasonable use, except in exceptional circumstances, or where public use needs to be restricted or excluded for operational, or health and safety reasons.	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<p>(14) Avoid a proliferation of hard protection structures in the coastal marine area by requiring:</p> <p>(a) hard protection structures to be located landward of mean high water springs where practicable, particularly if the structure is for the purpose of protecting private assets;</p> <p>(b) evidence to demonstrate that the adjoining landward area, or development in the coastal marine area, is at risk from a coastal hazard, and the degree of risk;</p> <p>(c) evidence to demonstrate that the options of non-intervention, managed retreat, abandonment or relocation of any landward development or structures are not practicable; and</p> <p>(d) evidence to demonstrate that the proposed structure is the most appropriate method for remedying or mitigating a coastal hazard having regard to the entire area affected or potentially affected by the hazard, and taking into account alternative methods, including soft engineering works.</p>	X	X	X	X	X	X
<p>(15) Avoid hard protection structures that are likely to result in:</p> <p>(a) undermining of the foundations at the base of the structure;</p> <p>(b) erosion behind or around the ends of the structure;</p> <p>(c) settlement or loss of foundation material;</p>	X	X	X	X	X	X

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
(d) movement or dislodgement of individual structural components;						
(e) the failure of the coastal protection structure should overtopping by seawater occur;						
(f) piping or hydraulic pumping of fine material or backfill;						
(g) offshore or long-shore loss of sediment from the immediate vicinity; and						
(h) any increase in the coastal hazard posed to the coastline elsewhere.						
16) Require the design and location of hard protection structures to:	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>
(a) minimise adverse effects on natural character and amenity values;						
(b) avoid restricting public access to or along the coastal marine area; and						
(c) take into account dynamic coastal processes, including the effects of climate change, sea level rise, assessed at least over a 100 year timeframe, including the potential for inundation or for the coastal marine area to advance inland.						
(17) Encourage a comprehensive and integrated land-sea management approach to be taken in considering new foreshore protection works, including:	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>	<b>X</b>



Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<ul style="list-style-type: none"> <li>(a) the erosion effects from any on-site stormwater discharges;</li> <li>(b) whether the discharge method is lawful and the most appropriate option; and</li> <li>(c) the extent that the hazard risk is being increased as a result of the location and method of stormwater discharges or drainage.</li> </ul>						
(18) Require consideration to be given to any relevant management strategy, strategic plan or hazard risk assessment relating to the area where foreshore protection works are proposed.	X	X	X	X	X	X
(19) Require applications for structures in the coastal marine area to demonstrate that any landward component, development, or use of land-based infrastructure or facilities can be appropriately provided for.	X	X	X	X	X	X
(20) Require applications for structures in the coastal marine area to demonstrate how any significant adverse effects on the use of adjoining land, including reverse sensitivity effects on existing use or development of that land, can be avoided, remedied or mitigated.	X	X	X	X	X	X
(21) Enable structures required to ensure safe navigation or for health and safety purposes.	X	X	X	X	X	X

Provision		Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
	22) Ensure that structures in the coastal marine area do not pose a risk to navigation or to public health and safety by:	X	X	X	X	X	X
	(a) requiring structures to be maintained to an appropriate standard;						
	(b) requiring structures to be appropriately located and lit; and						
	(c) enabling the removal of structures, where they are no longer functional or required, or have been abandoned.						
<b>F2.18.2 Objectives</b>	(1) Underwater noise from identified activities is managed to maintain the health and wellbeing of marine fauna and users of the coastal environment.	X	X	X	X	X	X
<b>F2.18.3 Policies</b>	(1) Require underwater blasting, impact and vibratory piling, and marine seismic surveys in the coastal marine area to adopt the best practicable option to manage noise so that it does not exceed a reasonable level.	X	X	X	X	X	X
	(2) Assess the following matters for underwater blasting, impact and vibratory piling, and marine seismic surveys:	X	X	X	X	X	X
	(a) the health and wellbeing of marine fauna (including threatened and at-risk species) and people from the noise associated with the proposal;						
	(b) the practicability of being able to control the noise effects;						

Provision	Kawakawa Bay	Waimango Point	Central Harbour	Puhinui	Hikihiki	Ports of Auckland
<ul style="list-style-type: none"> <li>(c) the social and economic benefits to the community of the proposal; and</li> <li>(d) the extent to which the adverse effects of the noise will be mitigated.</li> </ul>						
(3) Enable the generation of underwater noise where that noise is associated with the following activities:	X	X	X	X	X	X
<ul style="list-style-type: none"> <li>(a) the operational requirements of vessels;</li> <li>(b) construction or operation of marine and port activities, marine and port facilities, marina activities, marine and port accessory structures and services, maritime passenger facilities and dredging, that do not involve underwater blasting, impact and vibratory piling, or marine seismic surveys; and</li> <li>(c) sonar not including marine seismic surveys.</li> </ul>						

## **Appendix B8**

Auckland Unitary Plan (Ports of Auckland Site Only)

## Auckland Unitary Plan Policies and Objectives

Green shading within the table indicates a directive provision that may present a consenting challenge.

Provision		Ports of Auckland
<b>H3 Business – City Centre Zones</b>		
<b>H8.3 Policies</b>	<i>General policies for all centres, Business – Mixed Use Zone, Business – General Business Zone and Business – Business Park Zone</i>	<b>X</b>
(1)	Reinforce the function of the city centre, metropolitan centres and town centres as the primary location for commercial activity, according to their role in the hierarchy of centres.	
(11)	Require development to avoid, remedy or mitigate adverse wind and glare effects on public open spaces, including streets, and shading effects on open space zoned land.	<b>X</b>
(19)	Provide for a wide range of activities along the waterfront, while continuing to provide for those activities requiring a harbour location.	<b>X</b>
(21)	Enable the efficient use and development of the Port of Auckland and identified marine and port activity areas.	<b>X</b>
(22)	Support the development of public transport, pedestrian and cycle networks and the ability to efficiently change transport modes.	<b>X</b>
	<i>Precincts</i>	<b>X</b>
(23)	Identify and encourage specific outcomes in areas of the city centre that relate to: <ul style="list-style-type: none"> <li>(a) a distinctive built character; and/or</li> <li>(b) a concentration of particular activities; and/or</li> <li>(c) activities that have specific functional requirements; and/or</li> <li>(d) significant transformational development opportunities.</li> </ul>	
(25)	Limit activities that would have reverse sensitivity effects on established and future marine and port activities.	<b>X</b>
	<i>City Form</i>	<b>X</b>
(30)	Manage adverse effects associated with building height and form by: <ul style="list-style-type: none"> <li>(a) transitioning building height and development densities down to neighbourhoods adjoining the city centre and to the harbour edge;</li> </ul>	

Provision		Ports of Auckland
	<ul style="list-style-type: none"> <li>(b) protecting sunlight to identified public open spaces and view shafts;</li> <li>(c) requiring the height and form of new buildings to respect the valley and ridgeline form of the city centre and building design to be complementary to existing or planned character of precincts; and</li> <li>(d) managing the scale, form and design of buildings to: <ul style="list-style-type: none"> <li>(i) avoid adverse dominance and/or amenity effects on streets and public open space; and</li> <li>(ii) encourage well-designed, slender towers on sites identified within the special height area on Map H8.11.3.</li> </ul> </li> </ul>	
	(35) Require the demolition of buildings and structures to avoid, remedy or mitigate significant adverse effects on the pedestrian amenity of the city centre and the safety and efficiency of the road network.	<b>X</b>
	(37) Enable high-quality public open spaces along the waterfront that are accessible and provide spaces for recreational opportunities, facilities and events.	<b>X</b>
<b>I208</b>	<b>Port Precinct</b>	<b>X</b>
<b>I208.1 Precinct Description</b>	<p>The purpose of the Port Precinct is to provide for a nationally and regionally significant component of Auckland and New Zealand's transport infrastructure and trade network. The precinct primarily consists of land and coastal areas owned or controlled by Ports of Auckland Limited.</p> <p>...</p> <p>The Port Precinct includes the land and the coastal marine area north of Quay Street between the western side of Marsden Wharf and the eastern side of the Fergusson Reclamation. The reclaimed land and wharf structures named Bledisloe Terminal, Bledisloe Wharf, Jellicoe Wharf, Freyberg Wharf, and Fergusson Wharf and Fergusson Terminal are primary vessel loading and unloading areas. Cargo storage, cargo handling and ancillary port activities are undertaken on the balance of the area fronting Quay Street. Teal Park and a range of community and emergency facilities and food and beverage activities are located at the eastern end of the precinct.</p> <p>...</p> <p>Within the precinct it is recognised that the coastal environment has already been modified by structures and port activities and that the land adjoining the coastal marine area provides for the infrastructure to service the marine and port activities. It is therefore appropriate to suitably recognise this, and make provision for the continued use and development of the precinct, while avoiding, remedying, or mitigating adverse effects.</p> <p>...</p>	<b>X</b>

Provision		Ports of Auckland
<b>I208.2 Objective</b>	(1) The efficient operation, growth and intensification of marine and port activities and marine and port facilities, including the development of the Port's capacity for shipping and its connections with other transport modes.	<b>X</b>
	(3) Adverse effects arising from activities and development are avoided, remedied or mitigated.	<b>X</b>
	(5) Buildings adjacent to Quay Street complement and enhance the gateway to the city centre, while recognising any functional and operational requirements of marine and port activities.	<b>X</b>
<b>I208.3 Policies</b>	(1) Enable the consolidation, intensification, redevelopment and growth within the precinct for a wide range of marine and port activities and associated structures, to provide for the development of the Port's capacity for shipping, and its connections with other transport modes.	<b>X</b>
	(2) Provide a wide range of berthage facilities to accommodate vessels of different types and sizes	<b>X</b>
	(4) Require activities within the precinct to avoid, remedy or mitigate adverse effects on the land and coastal environment, particularly noise, lighting and amenity effects and effects on the surrounding road network.	<b>X</b>
	(7) Provide for intensification, development and maintenance of marine and port facilities and associated works which contribute to the efficient use, operation, and management of marine and port activities while avoiding, remedying or mitigating potential adverse effects on the environment.	<b>X</b>
	(8) Limit maximum building height to an appropriate scale to provide a transition in height between the city centre core and the harbour, with the exception of specifically identified container and cargo-handling facilities, vessels, structures and equipment associated with marine and port activities.	<b>X</b>
	(9) Encourage buildings within Area A on Precinct plan 2, to be of a high quality design to complement and enhance this city centre gateway and to contribute positively to the visual quality, amenity, interest and public safety of streets and public open spaces, while recognising any functional and operational requirements of marine and port activities.	<b>X</b>
	(12) Enable dredging within the precinct that is necessary to provide for the safe and efficient navigation, manoeuvring, and berthing of vessels, while avoiding, remedying or mitigating any adverse effects.	<b>X</b>

	Provision	Ports of Auckland
	(13) Require port operators to take all practicable steps to avoid contamination of coastal waters, substrate, ecosystems and habitats that is more than minor.	X



## **Appendix B9**

Auckland Unitary Plan (Kumeu site only)

## Auckland Unitary Plan Policies and Objectives

Green shading within the table indicates a directive provision that may present a consenting challenge.

Provision		Kumeu
<b>H18 Future Urban Zone</b>		
<b>H18.2 Objectives</b>	(1) Land is used and developed to achieve the objectives of the Rural – Rural Production Zone until it has been rezoned for urban purposes.	<b>X</b>
	(3) Future urban development is not compromised by premature subdivision, use or development.	<b>X</b>
	(4) Urbanisation on sites zoned Future Urban Zone is avoided until the sites have been rezoned for urban purposes.	<b>X</b>
<b>H19 Rural Zones</b>		
<b>H19.2.1 Objectives</b>	(1) Rural areas are where people work, live and recreate and where a range of activities and services are enabled to support these functions.	<b>X</b>
	(2) Rural production activities are provided for throughout the rural area while containing adverse environmental effects on site.	<b>X</b>
	(3) Elite soil is protected, and prime soil is managed, for potential rural production.	<b>X</b>
<b>H19.2.2 Policies</b>	(1) Enable activities based on use of the land resource and recognise them as a primary function of rural areas.	<b>X</b>
	(4) Enable and maintain the productive potential of land that is not elite or prime soil but which has productive potential for rural production purposes, and avoid its use for other activities including rural lifestyle living except where these are provided for or enabled by Policy H19.2.2(5).	<b>X</b>
	(5) Enable a range of rural production activities and a limited range of other activities in rural areas by: (a) separating potentially incompatible activities such as rural production and rural lifestyle living into different zones;	<b>X</b>

Provision	Kumeu
	<p>(b) avoiding or restricting rural subdivision for activities not associated with rural production in areas other than those subdivision provided for in <a href="#">E39 Subdivision – Rural</a>;</p> <p>(c) managing the effects of activities in rural areas so that;</p> <p>(i) essential infrastructure can be funded, coordinated and provided in a timely, integrated, efficient and appropriate manner; and</p> <p>(ii) reverse sensitivity effects do not constrain rural production activities.</p> <p>(d) acknowledging that, in some circumstances, the effective operation, maintenance, upgrading and development of infrastructure may place constraints on productive land and other rural activities; or</p> <p>(e) providing for tourism and activities related to the rural environment.</p>
<b>H19.2.3 Objectives</b>	<p>(1) The character, amenity values and biodiversity values of rural areas are maintained or enhanced while accommodating the localised character of different parts of these areas and the dynamic nature of rural production activities.</p> <p>(2) Areas of significant indigenous biodiversity are protected and enhanced.</p>
<b>H19.2.5 Objectives</b>	<p>(3) The rural economy and the well-being of people and local communities are maintained or enhanced by social, cultural and economic non-residential activities, while the area's rural character and amenity is maintained or enhanced.</p> <p>(4) Industries, services and non-residential activities of an urban type and scale unrelated to rural production activities are not located in rural zones.</p>
<b>H19.2.6 Policies</b>	<p>(2) Manage rural industries, rural commercial services and other non-residential activities to:</p> <p>(a) avoid creating reverse sensitivity effects;</p> <p>(b) contain and manage adverse effects on-site; and</p> <p>(c) avoid, remedy or mitigate adverse effects on traffic movement and the road network.</p>
<b>H19.3.2 Objectives</b>	<p>(2) The productive capability of the land is maintained and protected from inappropriate subdivision, use and development.</p>
<b>H19.4.2 Objectives</b>	<p>(3) Rural character and amenity values of the zone are maintained while anticipating a mix of rural production, non-residential and rural lifestyle activities.</p>

	Provision	Kumeu
<b>H19.7.2 Objectives</b>	(2) The rural character, amenity values, water quality, ecological quality, historic heritage values and the efficient provision of infrastructure is maintained and enhanced in subdivision design and development.	<b>X</b>
	(4) The type and nature of land-use activities provided for are restricted to those appropriate for the typically smaller site sizes.	<b>X</b>
	(5) Subdivision, use and development is compatible with infrastructure and any existing infrastructure is protected from reverse sensitivity effects.	<b>X</b>
<b>H19.7.3 Policies</b>	<p>(1) Locate and design subdivision and development to maintain and enhance rural character and amenity values and avoid an urban form and character by:</p> <p>(a) designing subdivision and development (including accessways, services, utilities and building platforms) to be in keeping with the topography and characteristics of the land;</p> <p>(b) minimising earthworks and vegetation clearance for accessways, utilities and building platforms;</p> <p>(c) avoiding locating accessways, services, utilities and building platforms where they will result in adverse effects on water quality, wetlands, riparian margins, historic heritage sites or scheduled sites and places of value or significance to Mana Whenua. Where avoidance is not possible, mitigation measures must be proposed so that any adverse effects are minor;</p> <p>(d) identifying opportunities for environmental enhancement of existing areas of native vegetation, wetland areas, riparian margins or the coastal edge;</p> <p>(e) encourage landscape planting that reinforces local vegetation patterns; and</p> <p>(f) identifying and where appropriate, requiring, the provision of walkway, cycleway and bridle path networks.</p>	<b>X</b>
	(4) Discourage activities that will result in adverse effects such as noise, dust, traffic volumes, odour, visual effects and effects on health, safety and cultural values and significantly reduce the rural character and amenity values of the zone.	<b>X</b>

## **Appendix C**

### Ports of Auckland Planning Summary

## Option: Ports of Auckland

### Location of Ports of Auckland



<b>Description</b>	<p>The Ports of Auckland is located within the Waitemata Harbour. Development at the site may include one, or all, of the following:</p> <ul style="list-style-type: none"> <li>• Proposed northern extension of the Bledisloe Wharf to establish a new berth;</li> <li>• Replacement of existing wharf structures at the southern end of Bledisloe Wharf West;</li> <li>• Complete removal of the Marsden Wharf and partial demolition (4300m<sup>2</sup>) of Bledisloe B1 Wharf; and,</li> </ul> <p>A new seawall south of Marsden Wharf.</p>
<b>Information Source</b>	<p>Auckland Unitary Plan</p> <p>Decision CST60323353 Panuku Development Auckland Limited (Queens Wharf Cruise Berth Upgrades and Mooring Dolphins), dated 23 April 2019</p> <p>[2015] NZHC 1382 Urban Auckland v Auckland Regional Council</p>
<b>Treaty Settlement Area</b>	<p>Within three Treaty Settlement Statutory Acknowledgement Areas, including those relating to Ngai Tai ki Tāmaki, Ngāti Tamaoho, Te Kawerau a Maki.</p> <p>Mana Whenua with interests in this area is also likely to include:</p> <ul style="list-style-type: none"> <li>• Te Ara Rangatu o te iwi o Ngāti Te Ata;</li> <li>• Ngāti Whanaunga</li> <li>• Ngāti Tamatera</li> <li>• Ngāti Maru</li> <li>• Te Ākitai o Waiohū</li> <li>• Te Patukirikiri</li> </ul>
<b>Zones</b>	<ul style="list-style-type: none"> <li>• Seaward area is located within the General Coastal Marine Zone</li> </ul>

	<ul style="list-style-type: none"> <li>• The landward area is located within the Business – City Centre Zone</li> </ul>
<b>Surrounding Zones</b>	<ul style="list-style-type: none"> <li>• Business – Light Industry Zone</li> <li>• Open Space – Community Zone</li> <li>• Open Space – Informal Recreation Zone</li> <li>• Open Space – Sport and Active Recreation Zone</li> <li>• Residential – Terrace Housing and Apartment Buildings Zone</li> <li>• Strategic Transport Corridor Zone</li> </ul>
<b>Designations</b>	<ul style="list-style-type: none"> <li>• Designation 8873 Vector Limited</li> </ul>
<b>Overlays<sup>1</sup></b>	<ul style="list-style-type: none"> <li>• Eastern edge of the Fergusson Container Terminal is located within the Regionally Significant Volcanic Viewshaft and Height Sensitive Area.</li> <li>• Queens Wharf is located within a Historic Heritage Overlay Extent of Place, as is part of Quay Street.</li> <li>• Multi Cargo and Fergusson Container Terminals both located within the Auckland War Memorial Museum Viewshaft and Contours.</li> <li>• Landwards areas located within the Macroinvertebrate Community Index.</li> <li>• A number of arterial roads traverse along the southern boundary of the Ports of Auckland.</li> <li>• Areas immediately beyond the Multi Cargo and Fergusson Container Wharf are located within the City Centre Port Noise Overlay. Note the overlay also applies to the Princess, Queens and Captain Cook Wharves.</li> <li>• The Fergusson Container Terminal and Multi Cargo Wharves are located within the Port Precinct. Queens, Princess and Captain Cook Wharves located within the adjacent Central Wharves Precinct. The channel is located within the Waitemata Channel Precinct.</li> <li>• Parts of the site are partially located within the Coastal Inundation 1 percent AEP plus 1m Control</li> </ul>
<b>Overall likely activity status for a resource consent (CMA only)</b>	<ul style="list-style-type: none"> <li>• Restricted Discretionary or Discretionary</li> </ul>

<sup>1</sup> For the purposes of this evaluation, this section includes all Precincts, Overlays and Controls as shown on the Auckland Unitary Planning Maps.

## Option: Ports of Auckland

### Treaty Settlement – Statutory Acknowledgement Area



#### Treaty Settlement Area

Within the following Treaty Settlement Statutory Acknowledgement Areas:

- Ngai Tai ki Tamaki
- Ngati Tamaoho
- Te Kawerau a Maki.



## Option: Ports of Auckland

### Zones



#### Business – City Centre Zone

The city centre is the top of the centres hierarchy and plays a pivotal role in Auckland's present and future success.

To maintain and enhance the vibrancy of the city centre, the zone permits a wide range of activities to establish in most parts of the city centre. The zone also manages activities that have the potential to adversely affect the amenity of the city centre or that have the potential to generate reverse sensitivity effects on identified marine and port activity areas.

Within the city centre are precincts and overlays, which have their own distinct features, character and/or function. For example, the Port Precinct allows for the ongoing use, development and expansion of port and marine activities at the Port of Auckland.

#### Business – Light Industry Zone

The Business – Light Industry Zone anticipates industrial activities that do not generate objectionable odour, dust or noise. This includes manufacturing, production, logistics, storage, transport and distribution activities. The anticipated level of amenity is lower than the centres zones, Business – General Business Zone and Business – Mixed Use Zone. Due to the industrial nature of the zone, activities sensitive to air discharges are generally not provided for.

#### Business – Mixed Use Zone

The Business – Mixed Use Zone is typically located around centres and along corridors served by public transport. It acts as a transition area, in terms of scale and activity, between residential areas and the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone. It also

	applies to areas where there is a need for a compatible mix of residential and employment activities.
<b>General Coastal Marine Zone</b>	The purpose of the Coastal – General Coastal Marine Zone is to provide for use and development in the coastal marine area, in particular those forms of use and development that have a functional or operational need to be undertaken or located in the coastal marine area,
<b>Open Space – Community Zone</b>	The Open Space – Community Zone primarily accommodates community buildings and activities. These include libraries, arts and cultural centres, marae, community houses, halls, early childhood learning facilities and recreation centres. This zone is situated in centres, suburban and rural areas.
<b>Open Space – Sport and Active Recreation Zone</b>	The Open Space –Sport and Active Recreation Zone applies to open spaces used for indoor and outdoor organised sports, active recreation and community activities. It includes facilities such as sports fields, hard-court areas and greens, recreational and multi-sport facilities, and marine-related activities such as ramps, jetties, slipways, hardstand areas.
<b>Open Space - Informal Recreation Zone</b>	The Open Space – Informal Recreation Zone applies to open spaces that range in size from small local parks to large regional parks. These areas are used for a variety of outdoor informal recreation activities and community uses, such as walking, running, cycling, relaxing and socialising, picnics, playing and enjoying the environment.
<b>Residential – Terrace Housing and Apartment Buildings Zone</b>	The Residential –Terrace Housing and Apartment Buildings Zone is a high-intensity zone enabling a greater intensity of development than previously provided for. This zone provides for urban residential living in the form of terrace housing and apartments. The zone is predominantly located around metropolitan, town and local centres and the public transport network to support the highest levels of intensification.
<b>Strategic Transport Corridor Zone</b>	<p>The purpose of the Strategic Transport Corridor Zone is to provide for state highway and railway corridors.</p> <p>This zone provides the flexibility needed for the development of the state highway and railway corridors and for a wide range of activities for transporting people and goods. The zone also provides certainty as to the activities that can be undertaken and assists in planning and investment across transport modes.</p>

## Option: Ports of Auckland

### Designations

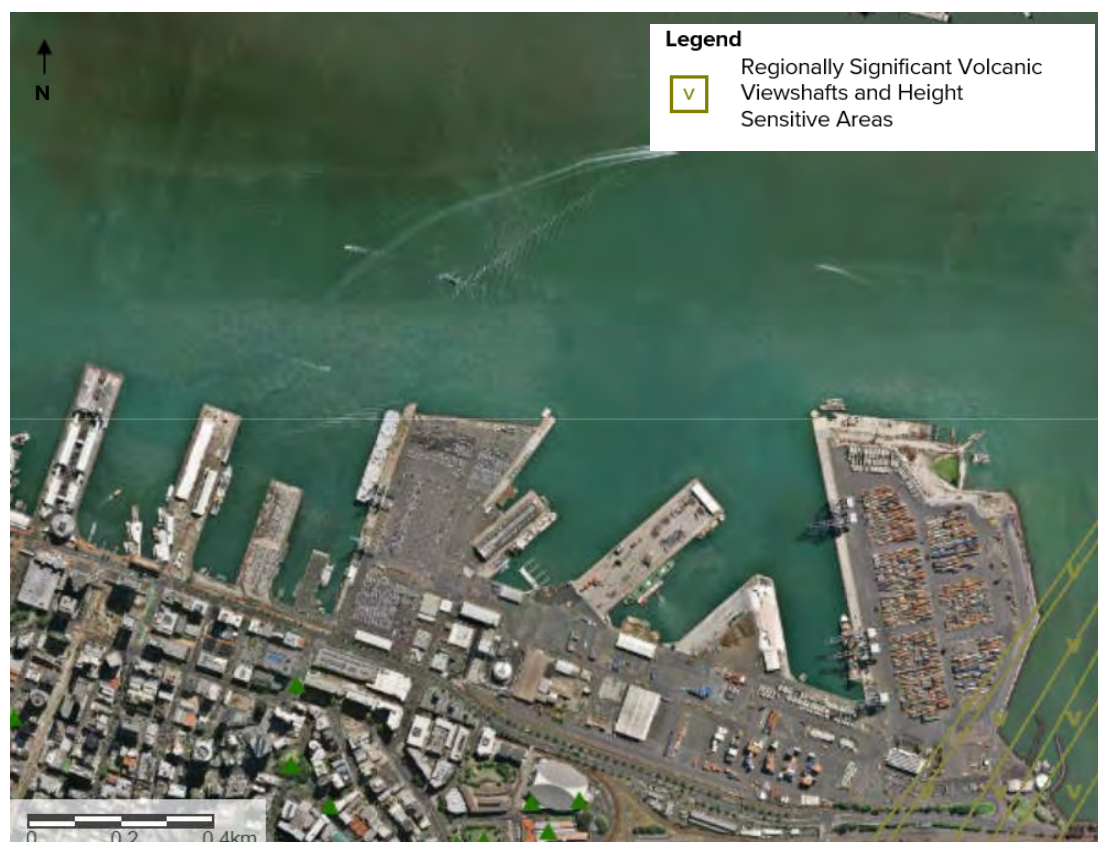


**Designation 8873 Vector Limited**

Electricity Works – Quay Substation

## Option: Ports of Auckland

### Regionally Significant Volcanic Viewshafts and Height Sensitive Areas



<b>Purpose</b>	The purpose of the Volcanic Viewshafts and Height Sensitive Area Overlay is to appropriately protect significant views of Auckland's volcanic cones through the use of viewshafts and height sensitive areas.
<b>Regionally Significant Viewshafts Identified</b>	<ul style="list-style-type: none"><li>• Mount Eden (E8)</li><li>• Rangitoto Island (T1)</li></ul>



## Option: Ports of Auckland

### Historic Heritage and Special Character



#### Auckland Harbour Board Fence

<b>Heritage Category:</b>	A, meaning historic heritage places of outstanding significance well beyond their immediate environ, generally expected to be of significance to the Auckland region or a greater geographic area
<b>Primary Feature</b>	Entire fence, including panels, pylons, handrails and gates.
<b>Heritage Values</b>	A, F, G and H.
<b>Nearby Heritage Features</b>	<ul style="list-style-type: none"><li>• Queens Wharf (2735)</li><li>• Public Shelters (2018)</li><li>• Ferry Building (2016)</li></ul>

## Option: Ports of Auckland

### Historic Heritage and Special Character



### Auckland War Memorial Museum Viewshaft and Contours

#### Purpose

The Auckland War Memorial Museum is located in a prominent location within Auckland Domain.

The museum is a landmark building with historic, community and architectural significance and is one of Auckland's most popular vantage points. Sited on relatively low grounds in relation to the surrounding ridges, the view to and from the museum could be easily compromised or lost through the erection of tall buildings. The combination of landform, dominant building presence and setting contribute to the museum's unique visual quality. Special visual protection measures are applied to secure the highly appreciated views and aspect qualities associated with this historic heritage place. The overlay rules limit building height and include provision for parapets, chimneys communications antennae, support structures, housing, building services components and advertising signs.

## Option: Ports of Auckland

### Macroinvertebrate Community Index



#### Index

The landward areas of the site are overlaid by the Urban macroinvertebrate community indices.



## Option: Ports of Auckland

### Arterial Roads



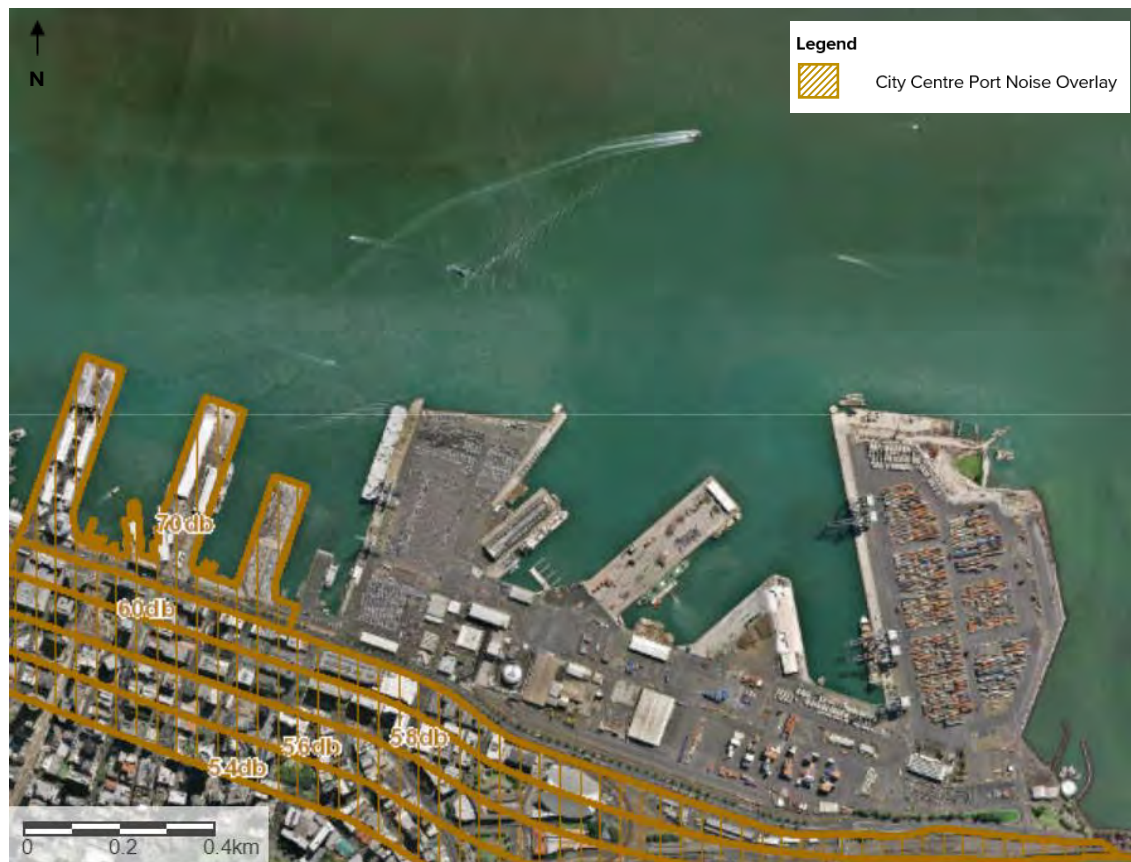
#### Arterial Road

Arterial Roads are identified in the AUP and used as a trigger for specific objectives, policies and rule considerations.



## Option: Ports of Auckland

### Infrastructure



#### City Centre Port Noise Overlay

The City Centre Port Noise Overlay is applied to land near Auckland's downtown port. Buildings accommodating activities sensitive to noise within the overlay must be insulated to achieve an internal noise level appropriate to the activity. A restrictive no complaints covenant in favour of the Ports of Auckland is required for activities sensitive to noise. This will ensure that activities sensitive to noise within the overlay achieve a good standard of amenity and the port is able to operate efficiently.

## Option: Ports of Auckland

### Precincts



#### Port Precinct

The purpose of the Port Precinct is to provide for a nationally and regionally significant component of Auckland and New Zealand's transport infrastructure and trade network. The precinct primarily consists of land and coastal areas owned or controlled by Ports of Auckland Limited.

#### Central Wharf Precinct

The purpose of the precinct is to provide for ongoing use for maritime passenger operations and other marine and port activities, and in parts of the precinct to provide an environment and an appropriate scale of built form for public activities, marine facilities and events, while maintaining public access to the waterfront and providing for sustainable land and coastal management within the precinct.

## Option: Ports of Auckland

### Coastal Inundation



#### **Coastal Inundation 1 per cent AEP Plus 1m**

Specific provisions relating to the management of natural hazards apply to areas located within the Coastal Inundation 1% AEP plus 1m mapped area of the site.

Option: Ports of Auckland	
High Level Consent requirements <sup>2</sup>	
<b>Overall likely activity status</b>	<ul style="list-style-type: none"> <li>Restricted Discretionary or Discretionary</li> </ul>
<b>Depositing and disposal of material</b>	<ul style="list-style-type: none"> <li>Deposition of material in the coastal marine area not otherwise provided for in the rules and within the General Coastal Marine Zone: Discretionary<sup>3</sup></li> <li>Disposal of waste or other matter in the coastal marine area, limited to dredged material, vessels, platforms or other structures: Discretionary<sup>4</sup></li> </ul>
<b>Dredging</b>	<ul style="list-style-type: none"> <li>Maintenance dredging <ul style="list-style-type: none"> <li>Within the Port Precinct: Controlled<sup>5</sup></li> <li>Within the General Coastal Marine Zone: Restricted Discretionary<sup>6</sup></li> </ul> </li> <li>Capital works dredging <ul style="list-style-type: none"> <li>Within the Port Precinct: Restricted Discretionary<sup>7</sup></li> <li>Within the General Coastal Marine Zone: Discretionary<sup>8</sup></li> </ul> </li> </ul>
<b>CMA Disturbance</b>	<ul style="list-style-type: none"> <li>Coastal marine area disturbance associated with: <ul style="list-style-type: none"> <li>Up to 1500m<sup>3</sup> of sediment per calendar year: Permitted<sup>9</sup></li> <li>Between 1500m<sup>3</sup> and 10,000m<sup>3</sup> of sediment per calendar year within the same coastal cell: Restricted Discretionary<sup>10</sup></li> <li>Movement of greater than 10,000m<sup>3</sup> of sediment per year within the same coastal cell, where it is required for the safe and efficient operation or construction of significant infrastructure and located within the General Coastal Marine Zone: Discretionary<sup>11</sup></li> </ul> </li> </ul>
<b>Discharges</b>	<ul style="list-style-type: none"> <li>All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for (assumes impervious surface area will be greater than 5000m<sup>2</sup>): Discretionary<sup>12</sup></li> <li>Development of a new or redevelopment of existing impervious areas other than for road, motorway or state highway purposes: Restricted Discretionary or Discretionary<sup>13</sup></li> <li>Discharges into coastal water not otherwise provided for in the Plan within the General Coastal Marine Zone: Discretionary<sup>14</sup></li> </ul>

<sup>2</sup> This list is not intended to be a complete list of all consents required under the AUP. Instead it identifies the key likely and potential resource consents required under Sections D, F and I of the AUP. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

<sup>3</sup> Auckland Unitary Plan, Rule F2.19.2 (A10)

<sup>4</sup> Auckland Unitary Plan, Rule F2.19.2 (A12)

<sup>5</sup> Auckland Unitary Plan, Rule I208.4 (A5)

<sup>6</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>7</sup> Auckland Unitary Plan, Rule I208.4 (A6)

<sup>8</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>9</sup> Auckland Unitary Plan, Rule F2.19.3 (A33)

<sup>10</sup> Auckland Unitary Plan, Rule F2.19.3 (A34)

<sup>11</sup> Auckland Unitary Plan, Rule F2.19.3 (A35)

<sup>12</sup> Auckland Unitary Plan, Rule E8.4.1(A10)

<sup>13</sup> Auckland Unitary Plan Rule E10.4.1(A3) or (A4)

<sup>14</sup> Auckland Unitary Plan, Rule F2.19.7(A70)

<b>Use and Activities (within the CMA)</b>	<ul style="list-style-type: none"> <li>• Occupation of the common marine and coastal marine area and are not otherwise provided for: Discretionary<sup>15</sup></li> <li>• Underwater blasting, impact and vibratory piling, marine seismic surveys: Restricted Discretionary Activity<sup>16</sup></li> </ul>
<b>Structures</b>	<ul style="list-style-type: none"> <li>• Wharves, including alterations and additions to these structures: Restricted Discretionary<sup>17</sup></li> <li>• Marine and port activities, marine and port facilities and marine and port accessory structures and services: Permitted<sup>18</sup></li> <li>• Maintenance, repair and reconstruction of existing coastal marine area structures or buildings: Permitted<sup>19</sup></li> <li>• New buildings and alterations and additions to buildings not otherwise provided for within Area of the Precinct 2: Restricted Discretionary<sup>20</sup></li> <li>• Alterations and additions to existing coastal marine area structures except as otherwise specified: Permitted<sup>21</sup></li> <li>• Demolition or removal of buildings or coastal marine area structures except as otherwise specified below: Permitted<sup>22</sup></li> <li>• Hard protection structures: Restricted Discretionary<sup>23</sup></li> </ul>
<b>Earthworks</b>	<ul style="list-style-type: none"> <li>• Greater than 2500m<sup>3</sup> earthworks: Restricted Discretionary<sup>24</sup></li> <li>• Land disturbance greater than 50,000m<sup>2</sup> where land has a slope less than 10 degrees outside the Sediment Control Protection Area: Restricted Discretionary<sup>25</sup></li> </ul>
<b>Buildings and Structures</b>	<ul style="list-style-type: none"> <li>• Buildings and structures that exceed the height limits specified in the Auckland War Memorial Museum Viewshaft (ranging from 38m above mean sea level near Quay Street, reducing to 16m at the northern end of Fergusson Container Terminal): Non-complying<sup>26</sup></li> </ul>
<b>Lighting and Noise</b>	<ul style="list-style-type: none"> <li>• Activities that do not comply with the permitted lighting standards: Restricted Discretionary<sup>27</sup></li> <li>• Activities that do not comply with the relevant permitted noise standards: Restricted Discretionary<sup>28</sup></li> </ul>

<sup>15</sup> Auckland Unitary Plan, Rule F2.19.8 (A84)

<sup>16</sup> Auckland Unitary Plan, Rule F2.19.8 (114)

<sup>17</sup> Auckland Unitary Plan, Rule I208.4 (A24)

<sup>18</sup> Auckland Unitary Plan, Rule I208.4 (A1), (A23) and (A26)

<sup>19</sup> Auckland Unitary Plan, Rule I208.4 (A30)

<sup>20</sup> Auckland Unitary Plan, Rule I208.4 (A231)

<sup>21</sup> Auckland Unitary Plan, Rule I208.4 (A32)

<sup>22</sup> Auckland Unitary Plan, Rule I208.4 (A33)

<sup>23</sup> Auckland Unitary Plan, Rule I208.4 (A35)

<sup>24</sup> Auckland Unitary Plan, Rule E12.4.1(A10)

<sup>25</sup> Auckland Unitary Plan, Rule E11.4.1 (A5)

<sup>26</sup> Auckland Unitary Plan, Rule D19.4.1(A2)

<sup>27</sup> Auckland Unitary Plan, Rule E24.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.

<sup>28</sup> Auckland Unitary Plan, Rule E25.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.

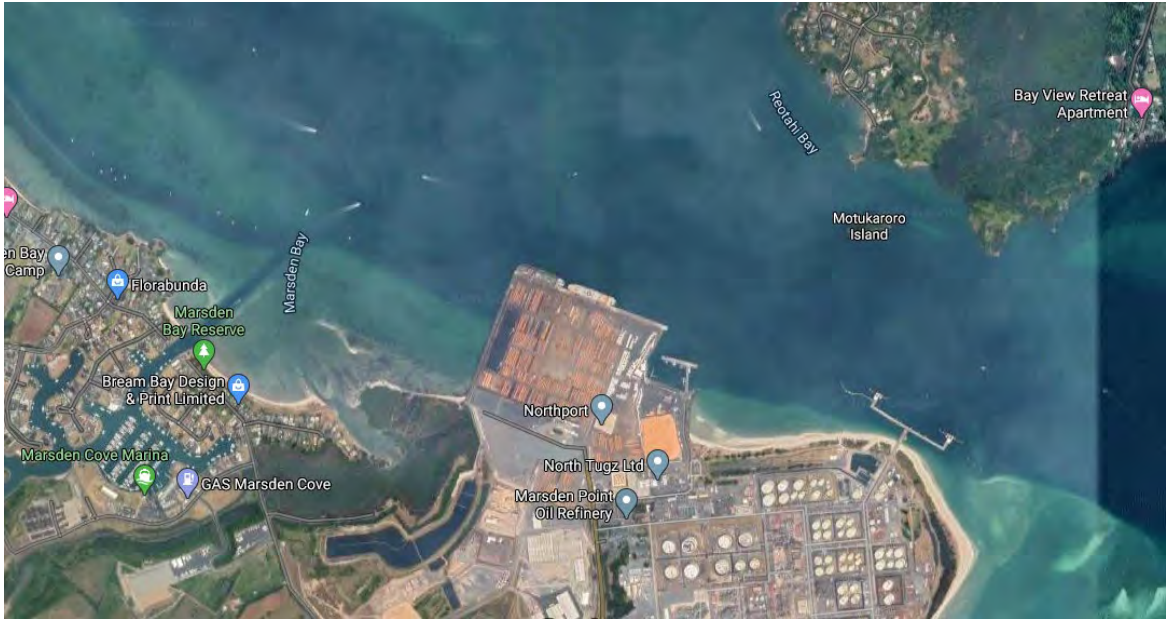
## **Appendix D**

### Northport Planning Summary



## Option: Northport

### Approximate Location of Northport Site



#### Description

A proposed expansion at Northport to increase its freight capacity may include one, or all, of the following:

- Expansion to the west of the existing port area for a new drydock located (within the coastal marine area);
- Expansion to the east of the existing port area for predominantly container management (also within the coastal marine area); and
- Expansion to the south and south west of the existing port area (outside of the coastal marine area).

#### Information Source

- Whangārei District Plan
- Proposed Northland Regional Plan
- Northland Regional Policy Statement
- Northland Operative Coastal Plan
- Decision of the Northland Regional Council on the New Zealand Refinery Company Limited resource consent application to deepen and realign the Whangārei Harbour and approaches, APP.037197.01.01, 17<sup>th</sup> July 2018

#### Iwi and Hapu within identified site area

Not located within the Statutory Acknowledgement Area.

- Ngāti Wai, their area of interests extends south of Whananaki, west to the Hokianga Harbour and to an area southeast of Warkworth. This also extends into the EEZ to include Aotea/Great Barrier Island.
- Ngāpuhi – includes Ngāti Wai and Patuharakeke but extends to the north of Kerikeri and west to the Hokianga Harbour as set out in the map below.
- Patuharakeke – are a hapu of Ngāpuhi and have shared whakapapa with Ngāti Wai.

<b>Zones</b>	<p><b>Whangārei District Plan</b></p> <ul style="list-style-type: none"> <li>• Marsden Point Port Zone</li> <li>• Business 2 Zone (works may be within this zone)</li> <li>• Business 4 Zone (works may be within this zone)</li> </ul> <p><b>Proposed Northland Regional Plan</b></p> <ul style="list-style-type: none"> <li>• Marsden Point Port Zone</li> </ul> <p><b>Operative Northland Regional Coastal Plan</b></p> <ul style="list-style-type: none"> <li>• Marine 5 (Port Facilities Management Zone)</li> </ul>
<b>Surrounding Zones</b>	<p><b>Whangārei District Plan</b></p> <ul style="list-style-type: none"> <li>• Land to the west is Open Space and Living 1 and also within the 'Future Marine Village' area</li> <li>• Land to the west is zoned Business 4 and has a 'Oil Refinery Overlay' of the site. The area within the Oil Refinery Overlay is also a Scheduled Activity - refer below.</li> <li>• A narrow strip of land between the Oil Refinery Land and the coast is zoned Open Space.</li> <li>• Land further south of the Port Zone is zoned Business 4.</li> </ul> <p><b>Proposed Northland Regional Plan</b></p> <ul style="list-style-type: none"> <li>• General Marine Zone</li> <li>• Mooring Zone</li> <li>• Marine Zone</li> </ul> <p><b>Operative Northland Regional Coastal Plan</b></p> <ul style="list-style-type: none"> <li>• Marine 2 (Conservation) Management Area</li> <li>• Marine 4 (Controlled Mooring) Management Area</li> <li>• Marine 1 (Protection) Management Area</li> </ul>
<b>Designations</b>	<p><b>Whangārei District Plan</b></p> <ul style="list-style-type: none"> <li>• Land to the south of port is designated by NZTA (Designation NZTA 5) for State Highway 15</li> <li>• Land is designated by KiwiRail (Designation KRH 2) for railway purposes, Oakleigh to Marsden Point Rail Link (not given effect to, lapses 2032)</li> <li>• Land to the south of port is designation for an electricity substation, Transpower NZ Ltd (Designation TPR- 3)</li> <li>• Land to the south of port is designation for a substation by Northpower Ltd (designation NPL – 11)</li> </ul>
<b>Overlay</b>	<p><b>Proposed Northland Regional Plan</b></p> <ul style="list-style-type: none"> <li>• Significant Marine Mammal and Seabird area</li> </ul> <p><b>Whangārei District Plan</b></p> <ul style="list-style-type: none"> <li>• High Natural Character Area (to west of site)</li> <li>•</li> </ul>



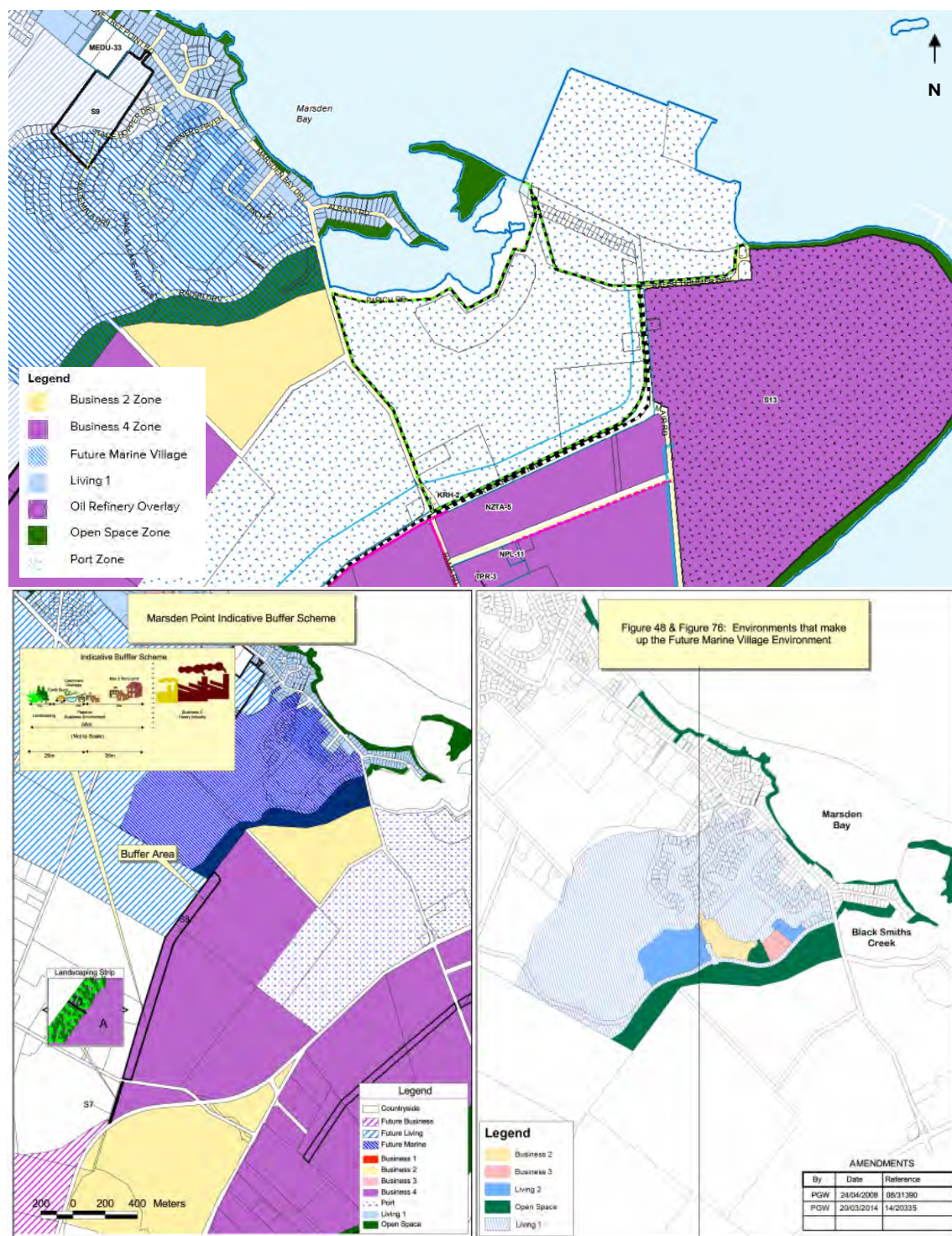
---

<b>Overall likely activity status for a resource consent (CMA only)</b>	<ul style="list-style-type: none"><li>• Non Complying</li></ul>
---	---

---

## Option: Northport

### Whangārei District Plan Zones and Buffer Areas



#### Information Source

Whangārei District Plan

#### Marsden Point Port Zone

The Marsden Point Port is an important physical resource and contributes a significant social and economic benefit to the people and communities of Whangārei and the Northland-Region. Due to the industrial nature of

	activities at the Port it is necessary to manage conflicts between this land use and nearby activities.
<b>Business 4 Zone</b>	This zone provides the heavy industrial areas of the District. In accordance with the nature of the heavy industrial activities within this Environment, the threshold levels are higher than other Business Environments. Special recognition has been given to the Marsden Point Oil Refinery
<b>Business 2 Zone</b>	The Environment generally contains a wide range of business and light industrial areas on the fringes of the Central Business District.
<b>Living 1 Zone &amp; Future Marine Village</b>	<p>Is the primary residential zone for the District. The Living 1 zoned land provides for residential development.</p> <p>The Future Marine Village area is land set aside to accommodate future development. The Future Marine Village area has an underlying zone of Rural Production.</p>
<b>Scheduled Area</b>	<ul style="list-style-type: none"> <li>• Schedule 13 Business 4 – Oil Refinery Overlay Area</li> </ul> <p>The rules and performance standards of the Business 4 are applicable in this area subject to the following exceptions:</p> <p>Any activity is a permitted activity provided that it takes place in the Oil Refinery Overlay Area that is related to the primary function of the oil refinery site. For the purpose of this rule the primary function is defined as a function that contributes to the safe, efficient and economic running of the Oil Refinery, and includes the operation of storage and fuel tanks, process plants, cogeneration plants and associated transmission lines, offices, support and community activities, visitor centres, canteens/cafes and residential dwellings associated with the refinery, and facilities catering to the needs of staff and visitors.</p>
<b>Buffer Area for Future Living area</b>	This buffer strip is located within the Business 4 zone and adjoins the 'Future Living' area. It requires a 10 m wide landscaping strip, then a 18 m wide area containing an earthbund and a drainage channel, then the staggering of business activities to ensure a 60m setback to any heavy industry activities.

## Option: Northport

### Natural Character



<b>Information Source</b>	Whangārei District Plan, Coastal Map 43C
<b>High Natural Character Area</b>	An area to the west of the site is identified as having High Natural Character values. Undeveloped parts of the coastal environment have largely been identified in this plan as High Natural Character Areas or Outstanding Natural Character Areas with provisions applying to them to protect their ecological, recreational, and landscape values.
<b>Coastal Area</b>	<p>The remainder of the coastal environment is described as having a higher degree of human modification, and while parts are still relatively undeveloped, it can accommodate some development without generating unacceptable adverse effects, provided that development is well designed and located.</p> <p>The Coastal Area has been identified as an 'overlay' that applies to land where the coast has a significant influence, and where land use activities can have effects on the coastal marine area. Coastal Area Rules relating to earthworks and indigenous vegetation clearance apply at the Marsden Point Port Zone.</p>



## Option: Northport

### Flood Susceptible



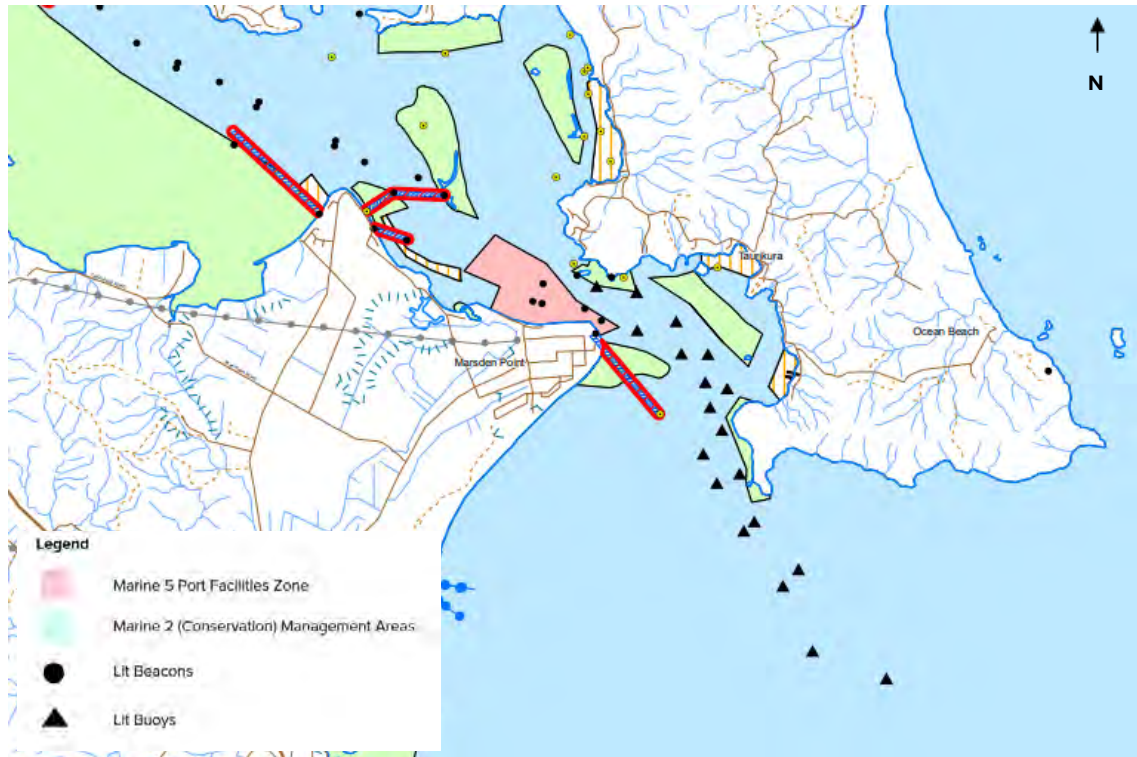
<b>Information Source</b>	Whangārei District Plan
	Resource Map 43R
<b>Flood Susceptible</b>	Partially within Coastal Hazard 1 area

## Option: Northport

### Proposed Northland Regional Plan (Appeals Version) Zones



<b>Marsden Point Port Zone</b>	The Marsden Point Port Zone is the coastal marine area adjacent to Northport and Refining New Zealand, located at the entrance of Whangārei harbour.
<b>General Marine Zone</b>	The General Marine Zone is the coastal marine area that is not zoned Coastal Commercial, Marina, Mooring or Whangārei City Centre Marine zones. This encompasses most of Northland's coastal marine area.
<b>Mooring Zone</b>	The Mooring Zone comprises locations in the coastal marine area where the primary purpose is to accommodate and manage moorings.
<b>Marina Zone</b>	The Marina Zone comprises locations in the coastal marine area where the primary purpose is to accommodate or develop marina structures and/or activities.
<b>Appeals</b>	<ul style="list-style-type: none"><li>• Almost all to the provisions that relate to the Coastal Activities are the subject of appeals. Refer to the Rules assessment table below, which identifies the rules that are subject to appeal.</li><li>• The Marsden Point Port Zone is the subject of an appeal by the New Zealand Refinery Company Ltd (ENV-2019-AKL-000121. This appeal seeks to extend the zone.</li></ul>



**Marine 5 (Port Facilities) Management Area**

The Marine 5 (Port facilities) Management area provides for operation of ports and associated facilities. The possibility of further development of these existing port areas is also needs acknowledged.

**Marine 2 (Conservation) Management Areas surrounding the site**

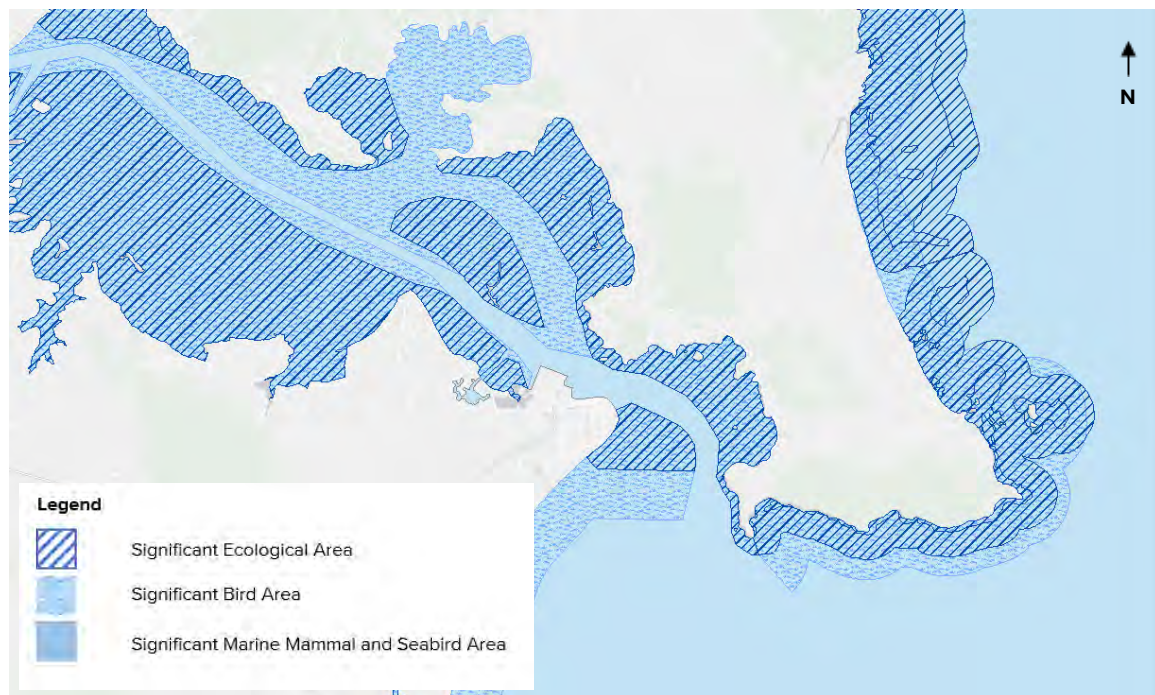
The Marine 2 (Conservation) Management Area includes that portion of the coastal marine area that is not within any other Marine Management Area and encompasses the greater proportion of the Northland Region coastal marine area. Generally, little or no comprehensive information exists to assist the Northland Regional Council in deciding resource consent issues for the coastal marine area of this management area though it does contain significant amenity, visual and intrinsic values. Underlying these values are natural processes such as sand movement, tides and currents that provide the integrity of coastal ecosystems as a whole. A cautious approach to the promotion of sustainable management is adopted for this Marine Management Area.

**Lit beacons and buoys identified within the site**

Depicted as black dots on the plan.

## Option: Northport

### Significant Ecological Areas



#### Information Source

Proposed Northland Regional Plan

Proposed Northland Regional Plan, Section 32 Evaluation

#### Significant Marine Mammal and Seabird area

Within a **Significant Marine Mammal and Seabird Area**

The entire coastal area of the Northland region is classified as such.

The section 32 evaluation for the plan states that the values in these areas are more dispersed over large areas of coast and are therefore less susceptible to disruption by human activities. Marine mammals inhabit most of the coastal marine area for example. Seabirds are found up and down Northland's coastline making it difficult to isolate any particular area as important. In this case, the mapping functions as an information layer for resource consent effects assessment.

The *Significant Ecological Areas* in contrast are described as:

Significant ecological areas include areas of habitat in both estuarine and in open coast areas. Examples of habitats in the open coast include rocky reefs and reef edge habitats which cover 202,000ha of the east coast (although not every rocky reef is a significant ecological area). Also important are discrete estuarine areas which function as feeding and breeding grounds for important bird and aquatic mammals and fish. The mapping in this case is designed to drive rules and policy with the aim of satisfying the protection requirements in the coastal policy statement.

Policy D.2.16(3) states:

*Recognise areas of significant indigenous vegetation and significant habitats of indigenous fauna include...*



---

(a) *Significant Ecological Areas, and*

(b) *Significant Bird Areas, and*

(c) *Significant Marine Mammal and Seabird Areas*

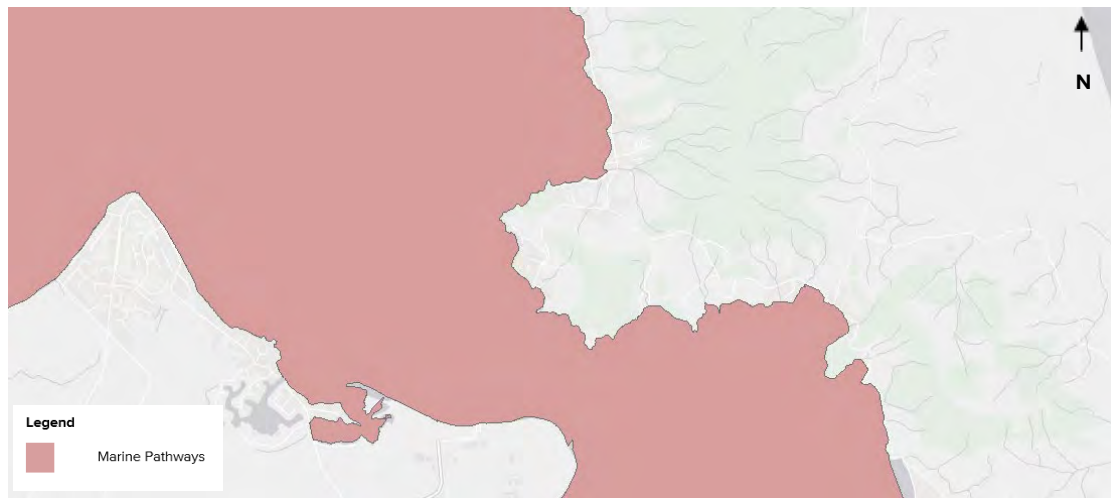
As this policy does not distinguish to more broad brush marine mammal and sea bird area from the other Significant Ecological Area category, in the abundance of caution, it is considered that where rules trip activities into a more onerous activity status (such as non-complying activity) due an activity being within a '*Significant Ecological Area*', this will include 'Significant Marine Mammal and Seabird' areas.

The site is close to a **Significant Ecological Area** (lagoon area to the west).

---

## Option: Northport

### Marine Pathways



<b>Information Source</b>	Proposed Northland Regional Plan
<b>Overlays</b>	<ul style="list-style-type: none"><li>• Marine Pathways place limits: Bream Head to Bream Bay (Marine Pathways are defined as: Places where restrictions apply to vessel movement between these places when hull fouling exceeds light fouling.)</li><li>• High Natural Character Area located to the west of the site -- (spans coastal and land area)</li></ul>

## Option: Northport

### Natural Landscapes and Features



<b>Information Source</b>	Northland Regional Policy Statement
<b>Coastal Environment Area</b>	<ul style="list-style-type: none"><li>Comprises the coastal environment that is not identified as having outstanding or high natural character values or outstanding or high natural landscape values or features.</li></ul>
<b>High Natural Character Area</b>	<ul style="list-style-type: none"><li>The lagoon area to the west of the port is classified as a High Natural character Area. Known as Blacksmiths Creek Estuary (Q07/144) and One Tree Point, comprises habitat types estuarine, shrubland and wetland. This site provides a protective buffer to the coastal fringe.</li></ul>

Option: Northport	
High Level Consent requirements <sup>1</sup> Proposed Northland Regional Plan	
<b>Overall likely activity status</b>	<ul style="list-style-type: none"> <li>Non-complying (due to presence of the Significant Marine Mammal and Seabirds areas)</li> </ul>
<b>Reclamation</b>	<ul style="list-style-type: none"> <li>Reclamation for regionally significant infrastructure – Discretionary (Rule C.1.6.3)<sup>2</sup> if not within a Significant Ecological Area (unless covered by Rule C.1.1.23 which relates to Hard Protection Structures); where the activity is within a Significant Ecological Area the activity is a non-complying activity (Rule C.1.6.5).</li> </ul>
<b>Dredging</b>	<ul style="list-style-type: none"> <li>Dredging, deposition, disturbance – Discretionary (Rule C.1.5.12) where it occurs outside of the Significant Ecological Area<sup>3</sup>; where the activity occurs within a Significant Ecological Area the activity is Non-complying (Rule C.1.5.14)</li> <li>Maintenance dredging - Controlled activity (Rule C.1.5.9)<sup>4</sup> (within Marsden Point Port Zone and the General Marine Zone)</li> </ul>
<b>Occupation</b>	<ul style="list-style-type: none"> <li>Refer structures rules</li> </ul>
<b>Structures</b>	<ul style="list-style-type: none"> <li>Minor Structures in the Marsden Point Port Zone, including occupation of the CMA by the structure are - Permitted (Rule C.1.1.2)<sup>5</sup></li> <li>Additions and alterations to structures (including the occupation of the CMA and the use of the structures in the Marsden Point Port Zone – Controlled Activity (Rule C.1.1.11)<sup>6</sup></li> <li>All other structures in the Marsden Point Port Zone (including use and occupation of the CMA) – Restricted Discretionary (Rule C.1.1.16).<sup>7</sup></li> <li>All 'Hard Protection Structures' <sup>8</sup>associated with regionally significant infrastructure, this rule covers “a reclamation for regionally significant infrastructure” (including the use of the structure, occupation, disturbance associated with the structure) <sup>9</sup>– Discretionary Activity (Rule C.1.1.23)<sup>10,11</sup></li> </ul>
High Level Consent requirements <sup>12</sup> Operative Northland Coastal Plan	
<b>Overall likely activity status</b>	Discretionary (within the Marine 5 Port Facilities Zone)

<sup>1</sup> This list is not intended to be a complete list of all consents required under the Proposed Northland Regional Plan and Operative Northland Coastal Plan. Instead it identifies the key likely and potential resource consents required under these plans. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

<sup>2</sup> This rule is subject to appeal.

<sup>3</sup> This rule is subject to appeal.

<sup>4</sup> This rule is subject to appeal.

<sup>5</sup> This rule is subject to appeal.

<sup>6</sup> This rule is subject to appeal.

<sup>7</sup> This rule is subject to appeal.

<sup>8</sup> Definition of Hard Protection Structures: A seawall, rock revetment, groyne, breakwater, stopbank, retaining wall or comparable structure that has the primary purpose of protecting an activity from a coastal hazard, including erosion,

<sup>9</sup> Regionally Significant Infrastructure is defined in the Regional Plan as: (Refers to the definition in the Regional Policy Statement) includes: (2) Transport (e) **Northport, including the adjoining land used for the movement and storage of cargo**; Note that this definition has been appealed in the Proposed Northland Regional Plan. It is not subject to appeal in the Regional Policy Statement.

<sup>10</sup> Where the hard protection structure is located within an Outstanding Natural Feature overlay in the coastal marine area, or an area of Outstanding Natural Character or a Nationally Significant Surfbreak as mapped, the activity status is non-complying (Rule C.1.1.24).

<sup>11</sup> This rule is subject to appeal.

<sup>12</sup> This list is not intended to be a complete list of all consents required under the Proposed Northland Regional Plan. Instead it identifies the key likely and potential resource consents required under the Proposed Northland Regional Plan. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

<b>Reclamation</b>	<p><b>Within the Marine 5 Port Facilities Zone:</b></p> <ul style="list-style-type: none"> <li>Reclamation– Discretionary – (Rule 31.7.5 a)</li> </ul> <p><b>Marine 2 Zone (beyond the Marine 5 zone)</b></p> <ul style="list-style-type: none"> <li>Erection of a new structure and occupation of space- Discretionary (Rule 31.4.4 w)</li> <li>Reclamation– Discretionary– (Rule 31.4.5 b)</li> </ul>
<b>Dredging</b>	<p><b>Within the Marine 5 Port Facilities Zone:</b></p> <ul style="list-style-type: none"> <li>Maintenance Dredging - Controlled (Rule 31.7.8 a)</li> <li>Capital Dredging – Discretionary (Rule 31.7.8 b)</li> </ul> <p><b>Within Marine 2 Zone (beyond Marine 5 zone)</b></p> <ul style="list-style-type: none"> <li>Dredging – any maintenance dredging – Discretionary (Rule 31.4.8 d)</li> <li>Dredging – any capital dredging – Discretionary (Rule 31.4.8 g)</li> </ul>
<b>Structures</b>	<p><b>Within the Marine 5 Port Facilities Zone:</b></p> <ul style="list-style-type: none"> <li>Erection of a new structure and occupation of space- Discretionary (Rule 31.7.4 p)</li> </ul> <p><b>Within Marine 2 Zone (beyond Marine 5 zone)</b></p> <ul style="list-style-type: none"> <li>Any port development – Non-Complying (Rule 31.4.12 d)</li> </ul>
<b>High Level Consent requirements<sup>13</sup> Whangārei District Plan</b>	
<b>Overall likely activity status</b>	Discretionary
<b>Earthworks / Vegetation Clearance</b>	<p>Rules apply to the Coastal Area</p> <ul style="list-style-type: none"> <li>Resource consent required for earthworks greater than 500m<sup>3</sup> within 10-year period - Discretionary (Rule CA.2.3.2)</li> <li>Resource consent required for clearance of indigenous vegetation in the Coastal Area exceeding 500m<sup>2</sup> per site within each 10 year period from 21 February 2019 - Discretionary (Rule CA.2.3.4)</li> </ul>
<b>Structures</b>	<ul style="list-style-type: none"> <li>Standards are imposed for building height, boundary setbacks etc</li> </ul>
<b>Activities</b>	<ul style="list-style-type: none"> <li>Any activity is a permitted activity if: The activity complies with Sheet 4 of the Whangārei District Council's Environmental Engineering Standards 2010 where it gains access to a Collector or Arterial Road, or a State Highway. – Restricted discretionary if the access/road does not comply (Rule 44.3.5)</li> </ul>
<b>Noise</b>	<ul style="list-style-type: none"> <li>Noise – noise generated within the Marsden Point Port Zone and received within the nearby Living 1 Zone is required to achieve 55 dB L<sub>eq</sub> between 7am and 10pm, 45 dB L<sub>eq</sub> between 10pm and 7am. A dB L<sub>AFmax</sub> of 75 must be achieved at all times.</li> </ul>

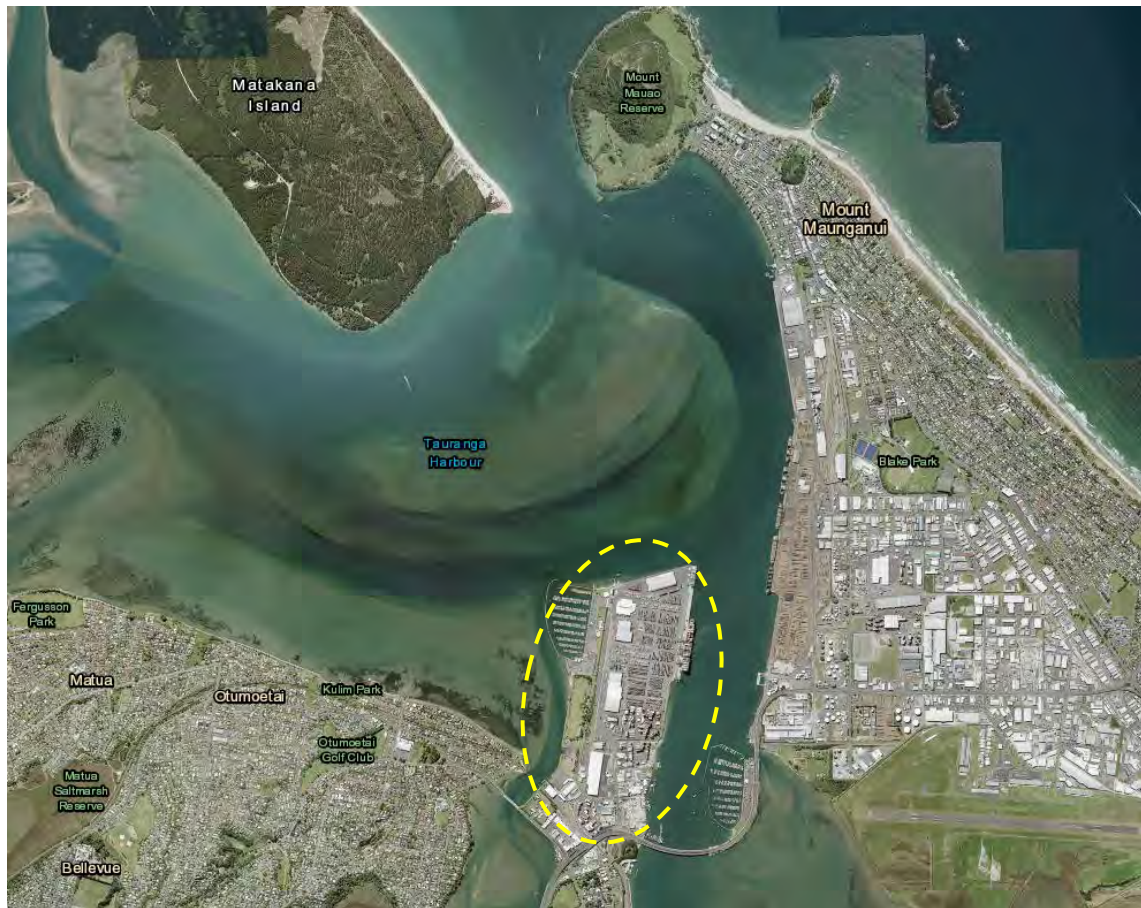
<sup>13</sup> This list is not intended to be a complete list of all consents required under the Whangārei District Plan. Instead it identifies the key likely and potential resource consents required under this Plan. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

## **Appendix E**

### Ports of Tauranga Planning Summary

## Option: Port of Tauranga

### Approximate Location of Port of Tauranga Site



#### Description

Expansion of the Port of Tauranga to increase its freight may include one, or all, of the following:

- Expansion to the existing port activities on Sulphur Point (outside of the coastal marine area), west and southwards, towards Tauranga Marina and Marine Park and State Highway 2;
- A southern extension to the existing wharf near East Road to provide additional berthing capacity; and
- The potential construction of a new wharf at the northern end of Sulphur Point.<sup>1</sup>

While additional dredging will be required around the existing port, assumption has been made that no further dredging is required around the mouth of the harbour, adjacent to Mt Maunganui.

#### Information Source

- Bay of Plenty Regional Policy Statement 2014

<sup>1</sup> It is unknown whether the Working Group or the Port of Tauranga is interested in this potential expansion option. However, the Outline Development Plan contained in the Bay of Plenty Regional Coastal Plan shows a future wharf along the existing northern end of Sulphur Point. This option has therefore been considered as part of this evaluation.

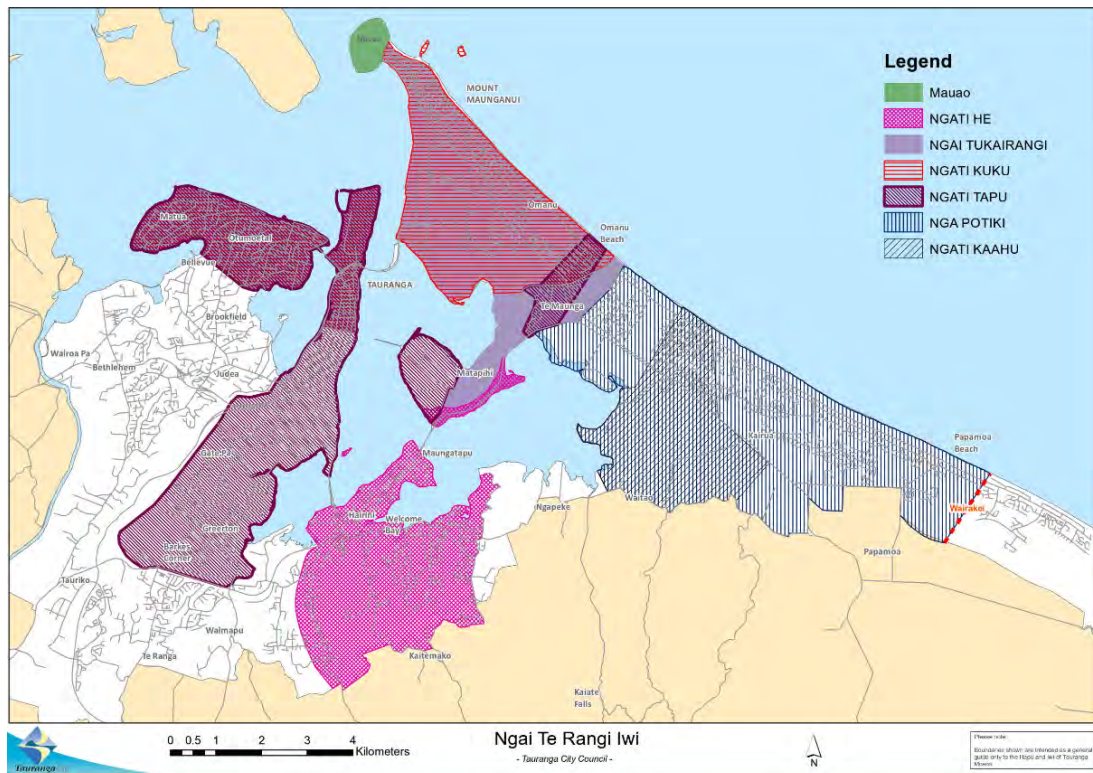
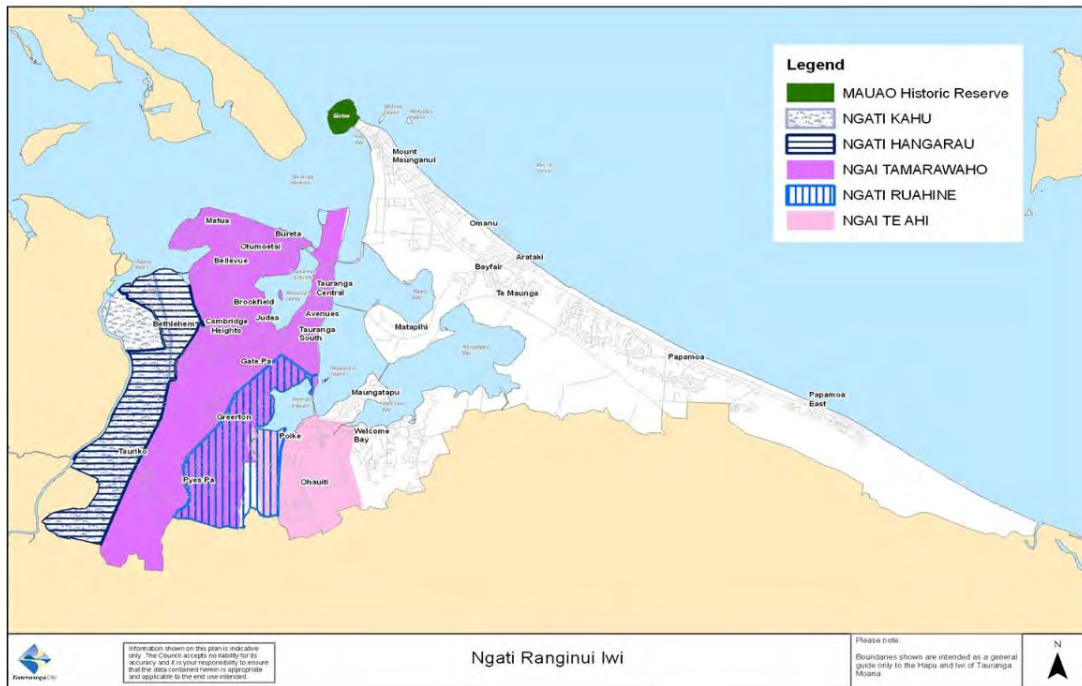
	<ul style="list-style-type: none"> <li>• Bay of Plenty Regional Coastal Environment Plan 2019</li> <li>• Tauranga City Plan 2013</li> <li>• [2011] NZEnvC 402 Te Runanga o Ngai Te Rangi Iwi &amp; Ors v Bay of Plenty Regional Council</li> <li>• [2012] NZHC 2407 Ngai Te Rangi v Bay of Plenty Regional Council</li> <li>• Decision and Recommendations of the Hearing Panel of the Bay of Plenty Regional Council</li> </ul>
<b>Iwi and Hapu within identified site area</b>	<ul style="list-style-type: none"> <li>• Ngati Tukairangi</li> <li>• Ngati Kuku</li> <li>• Ngati Taupu</li> <li>• Ngai Tamarawaho</li> </ul>
<b>Zones</b>	<p><b>Bay of Plenty Regional Coastal Environment Plan</b></p> <ul style="list-style-type: none"> <li>• Tauranga Harbour Port Zone</li> </ul> <p><b>Tauranga City Plan</b></p> <ul style="list-style-type: none"> <li>• Port Industry Zone</li> <li>• Active Open Space Zone</li> <li>• Commercial Zone</li> <li>• Industrial Zone</li> </ul>
<b>Surrounding Zones</b>	<p><b>Bay of Plenty Regional Coastal Environment Plan</b></p> <ul style="list-style-type: none"> <li>• Harbour Development Zone</li> <li>• Mooring zone</li> </ul> <p><b>Tauranga City Plan</b></p> <ul style="list-style-type: none"> <li>• Suburban Residential</li> </ul>
<b>Designations</b>	<ul style="list-style-type: none"> <li>• Designation RC 1 Mount Manganui Branch</li> <li>• Designation 21: NZ Transport Agency State Highway 2</li> </ul>
<b>Overlays</b>	<p><b>Bay of Plenty Regional Policy Statement</b></p> <ul style="list-style-type: none"> <li>• Outstanding Natural Character area is located immediately north and west of the main channel, including the sand bar located in the centre of the harbour.</li> <li>• Management and Growth Area for the Western Bay of Plenty</li> </ul> <p><b>Bay of Plenty Regional Coastal Plan</b></p> <ul style="list-style-type: none"> <li>• Outstanding Natural Features and Landscape located immediately north and west of the main channel, including the sand bar located in the centre of the harbour.</li> <li>• Area of Significant Cultural Value located to the north and west of main shipping channel.</li> <li>• At the southern end of the existing Port is a “Mooring” overlay. Two additional Mooring areas are located to the south-east of Mt Maunganui, immediately adjacent to the channel.</li> </ul>



	<ul style="list-style-type: none"> <li>• The area is located within the Port Noise 55dBA and 65dBA Noise Control Boundary</li> <li>• The area surrounding Sulphur Point is Identified as being occupied by Port of Tauranga.</li> <li>• Martha Shipwreck located to the west of the existing port.</li> <li>• Southern portion of the harbour is subject to height limitations due to the Tauranga Airport Obstacle Limitation Surfaces.</li> </ul> <p><b>Tauranga City Plan</b></p> <ul style="list-style-type: none"> <li>• Port Noise 55dBA and 65dBA Noise Control Boundary</li> <li>• Tauranga Infill – Financial Contribution Urban Growth Areas</li> <li>• Potential Inundation from Storm Surge</li> <li>• Scheduled Site (S)</li> <li>• Flood Hazard Plan Area</li> <li>• Specified Airport Slopes and Surfaces area</li> <li>• Viewshaft Protection Area</li> </ul>
<b>Overall likely activity status for a resource consent (CMA only)</b>	<ul style="list-style-type: none"> <li>• Discretionary</li> </ul>

## Option: Port of Tauranga

### Iwi and Hapu



### Information Source

Tauranga City Council

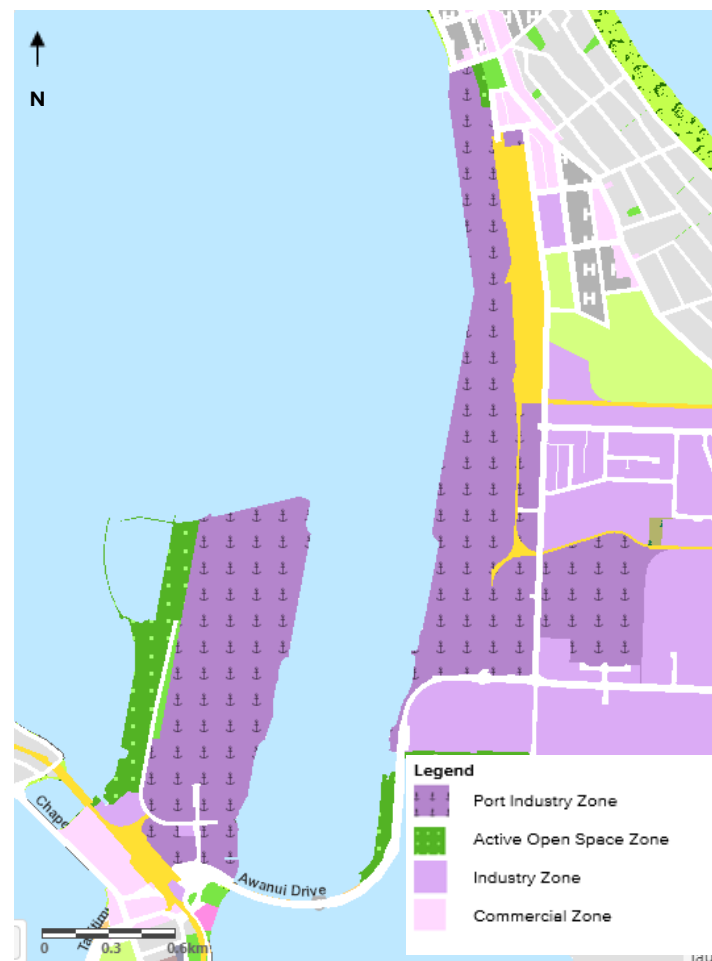
## Option: Port of Tauranga

### Regional Coastal Environment Plan Zones



<b>Area Occupied by Port of Tauranga</b>	Identifies the area occupied by the Port of Tauranga.
<b>Harbour Development Zone</b>	The Harbour Development Zone at Tauranga is adjacent to the central business district of Tauranga city. It includes a 60 metre wide strip of the coastal marine area extending from mean high water springs. The Harbour Development Zone contains various structures and buildings, including wharves, jetties, moorings, seawall revetments and a boat ramp. The area is used for a range of commercial, recreational and entertainment activities and is a key connection between the city centre and Tauranga Harbour.
<b>Tauranga Harbour Port Zone</b>	The Port Zone is located around the Port of Tauranga and is used to delineate where specific objectives, policies and rules apply which recognise and provide for the operational requirements of the Port of Tauranga, while appropriately avoiding, remedying or mitigating effects arising from port related activities.
<b>Mooring Area</b>	Within Tauranga Harbour (Te Awanui) are identified Mooring Areas. Within these areas, the specific objectives, policies and rules apply which provide for their ongoing use and maintenance.
<b>Airport Height Restrictions</b>	Identifies height restrictions within the Tauranga Harbour that ensure objects and structures do not enter into the operational airspace of Tauranga Airport.

<b>Port Noise 55dBA Noise Control Boundary</b>	The long-term average sound level (Ldn) from all activities within the Port Zone shall not exceed 55 dBA at any point outside the 55 dBA noise control boundary.
<b>Port Noise 65dBA Noise Control Boundary</b>	The long-term average sound level (Ldn) from all activities within the Port Zone shall not exceed 65 dBA at any point outside the 65 dBA noise control boundary.



<b>Port Industry Zone</b>	The purpose of the Port Industry Zone is to provide for activities that for operational purposes need to be near the harbour, and to provide for the operation of the Port of Tauranga unencumbered by the expectations of amenity outside the Industrial Zones.
<b>Active Open Space Zone</b>	The zone applies to the City's larger parks and reserves that are used for organised sport and events as well as large areas of open green space used for more passive forms of recreation.
<b>Industry Zone</b>	The purpose of the Industry Zone is to group together industrial, service and complementary activities that are strategically located in the transport network, may otherwise impact on sensitive uses such as residential development and require the ability to operate unencumbered by the expectations of amenity inherent in other zones
<b>Commercial</b>	The purpose of the Commercial Zone is to provide for the development of a broad spectrum of uses in consolidated locations. The Commercial Zone provides a variety of environments for commercial development recognising the need to provide flexibility within the zone for the marketplace.



## Option: Port of Tauranga

### Outstanding Natural Character



**Information Source** Bay of Plenty Regional Policy Statement 2014

#### Tauranga Harbour Northern Harbour (THN)

**Level of Character** Very High

**General Description of area** Tauranga Harbour is a shallow tidal estuary of 224 km<sup>2</sup> of which 93% is exposed at low tide. Mangroves are present along the coastline along with saltmarsh. More recently in settled areas the mangroves have been removed and unnatural lines formed within the vegetation patterns. Similarly there has been damage to the subtidal sea floor from the removal operations. Sedimentation is apparent in the southern harbour estuaries where reclamation has contributed to the retention of sediment.

- Elements that describe natural character**
1. Natural patterns throughout the harbour, particularly when it is exposed during low tide.
  2. Unmodified harbour margins with natural edges and vegetation patterns.
  3. Native flora and fauna dominating the harbour margins

#### Attributes (with elements that enhance and diminish natural character)

- Water**
1. Inlets and water ingress to the harbour have been modified to concentrate flows of water around built up areas.

	<ol style="list-style-type: none"> <li>2. There has been modification to the harbour margins to accommodate commercial and recreational harbour use.</li> <li>3. Other parts of the northern harbour estuaries remain largely unmodified and in a natural state. Channel markers are located along the natural deep water channels in the harbour along with navigation signs.</li> <li>4. Small boat ramps provide recreational access within developed margins of the harbour.</li> </ol>
<b>Land cover and use</b>	<ol style="list-style-type: none"> <li>1. The harbour contains some permanent moorings around Omokoroa, Katikati, Tanners Point and Athenree.</li> <li>2. Minor harbour structures include channel markers and jetties.</li> <li>3. Remaining natural parts of the harbour remain intact</li> </ol>
<b>Terrestrial biota</b>	<ol style="list-style-type: none"> <li>1. The northern extent of the harbour below MHWS has low modification and includes the extensive areas of seagrass, saltmarsh around the margins of the mainland and islands, mangrove shrublands, transitions to freshwater wetlands at river mouths, shell and sand banks used by indigenous birds</li> <li>2. It has high diversity of habitats and vegetation types, areas with regional and national significance, and supports a wide range of indigenous bird and fish species including uncommon and threatened species.</li> </ol>
<b>Abiotic systems and landforms</b>	<ol style="list-style-type: none"> <li>1. A mixture of excellent examples of coastal processes along with significant changes to the coastal processes.</li> <li>2. The northern end of the harbour remains largely unmodified except for the settlement areas.</li> </ol>
<b>Perceptual</b>	<ol style="list-style-type: none"> <li>1. Parts of the harbour are inaccessible by boat and foot.</li> <li>2. Large parts of the northern harbour have a strong sense of remoteness particularly alongside Matakana Island. Adjacent to the mainland the harbour is more accessible and numerous activities occur along the harbour margins.</li> <li>3. Beaches are popular recreation spots and residential settlements clutter parts of the coastline.</li> </ol>

**Option: Port of Tauranga**

**Outstanding Natural Features and Landscapes**



<b>Information Source</b>	Bay of Plenty Regional Coastal Environment Plan	
<b>ONFL3</b>	<b>Te Awanui Tauranga Harbour, Waimapu Estuary and Welcome Bay</b>	
<b>Description</b>	Tauranga Harbour is a shallow tidal estuary of 224 km <sup>2</sup> . At low tide, 93% of the seabed is exposed. The harbour and its estuarine margins comprise numerous bays, estuaries, wetland and saltmarsh. The key attributes which drive the requirement for classification as ONFL, and require protection, relate to the high natural science values associated with the margins and habitats; the high transient values associated with the tidal influences; and the high aesthetic and natural character values of the vegetation and harbour patterns.	
<b>Current Uses</b>	Bridges, national grid infrastructure, wharves, moorings, residential development, boardwalks, stormwater and sewer infrastructure, boat ramps, reclamations, recreational activities such as water skiing, fishing, boating, channel markers, navigational signs.	
<b>Evaluation</b>		
<b>Natural Science Factors</b>	Representativeness: The spatial relationship the harbour has with the land, providing estuaries, bays and beaches, is of significant value in representing the character of the landscape. This value is further enhanced by the scale of the water body, its dynamic patterns, and areas of native estuarine vegetation – all of which are highly representative of the harbour.	H
	Research and education: The proximity of the harbour to Tauranga, and the accessibility to large parts of the harbour edge,	M-H



	allows for educational and research opportunities both in the marine and terrestrial environments.  Rarity: The natural harbour margins and waters are not a rare landscape feature at a regional level.	
<b>Aesthetic Values</b>	Coherence: The extent of the harbour waters, its associated sand and shell banks and patterns result in a coherent landscape.	L
	Vividness: The value associated with the vividness of Tauranga Harbour is not resultant from any particular section or margin (though it is recognised some margins may be more vivid than others), rather it is the extensive relationship of the complete harbour waters, which define the landform, the extent of the harbour and its coastal patterns, that is highly recognisable and memorable within the region.	H
	Naturalness: Tauranga Harbour below the MHWS has low modification and includes extensive areas of sea grass and saltmarsh around the margins of the mainland and island, as well as mangroves, and vegetation patterns which transition to freshwater wetlands at river mouths. The harbour also features shell and sand banks used by indigenous birds. Consequently the landscape has a high diversity of habitats and vegetation types that combined result in a naturalistic landscape.	
	Intactness: Inlets and water ingress to the harbour has been modified to concentrate flows of water around built elements; however other parts, such as the northern and southern estuaries, remain largely unmodified. It is noted that the removal of mangroves (around settled areas) has damaged the sub tidal sea floor and produced unnatural lines in the vegetation, this combined with the modifications associated with the southern extent of the harbour (reclamation and harbour margin development), detract from the level of intactness. However, the natural processes which are evident in this landscape (i.e. the changing water levels), result in an overall aesthetically cohesive landscape, with largely intact coastal processes.	M-H
<b>Expressiveness (Legibility)</b>	The harbour margin features an indented coastline, with a series of headlands, estuaries and embayments and some isolated areas of remnant coastal vegetation. These features, together with the natural processes of the harbour waters, are highly valued for expressing the natural processes which influence, and change this landscape.	H
<b>Transient</b>	The tidal flow is a significant component of the transient values and results in a constantly changing landscape, which is particularly prevalent around the harbour margins and northern entrance. Also of value is the presence of avifauna which further contribute seasonal changes to the landscape.	M-H
<b>Shared and recognised values</b>	Nationally recognised and valued.	H
<b>Maori Values</b>	Ancient pa, mahinga kai, wāhi tapu, kāinga, taunga ika.	M-H

	<p>Te Awanui is a significant area of traditional history and identify for the three Tauranga Moana Iwi – Ngai Te Rangi, Ngati Ranginui and Ngati Pūkenga. Waitaha of Arawa also has strong ancestral connections to Te Awanui.</p> <p>Te Awanui includes many cultural heritage sites, many of which are recorded in Iwi and Hapū Management Plans and other historical documents and files (including Treaty Settlement documents).</p> <p>The Coastal Marine Area is identified as an area of Significant Cultural Value (ASCV 4) in Schedule 6.</p>	
<b>Historical associations</b>	Landscape contains a very high concentration of recorded archaeological sites that are associated with Māori occupation and use of the harbour resources.	

**Option: Port of Tauranga**

**Area of Significant Cultural Value**



<b>Information Source</b>	Bay of Plenty Regional Coastal Environment Plan
<b>ASCV-4A</b>	<p><b>Te Paritaha o Te Awanui</b></p> <p>Te Paritaha o Te Awanui is the original name for the large sand bank located offshore from Waikorere (Pilot Bay) Panepane (Matakana Island), Te Papa (Sulphur Point), and Otumoetai. Te Paritaha literally means "to flow over" and Te Awanui is the traditional name for the eastern portion of the Tauranga harbour.</p> <p>Te Paritaha o Te Awanui is the largest pipi bed within Te Awanui (Tauranga Harbour), and is renowned for its abundant supply of pipi. The bed has been a customary harvesting ground for many generations and is still an important harvesting area today for the whanau and hapū of Ngāti Ranginui, Ngai Te Rangi and Ngāti Pūkenga. Te Paritaha is one of the few remaining sustainable shellfish beds within the harbour.</p> <p>Te Paritaha is a taonga and a key source of sustenance for whānau, hapū and iwi of Tauranga Moana. Tauranga Moana whānau, hapū and iwi have a duty to protect the sustaining qualities of Paritaha. It is essential to protect the mauri of Paritaha to ensure that intertribal cultural practices of old will continue into the future.</p> <p>The traditional practice of "ta koha" or reciprocity is the process of providing kaimoana and/or local resources to visitors or to traditional Maori both locally and inter regional events. The significance of these processes should not be</p>

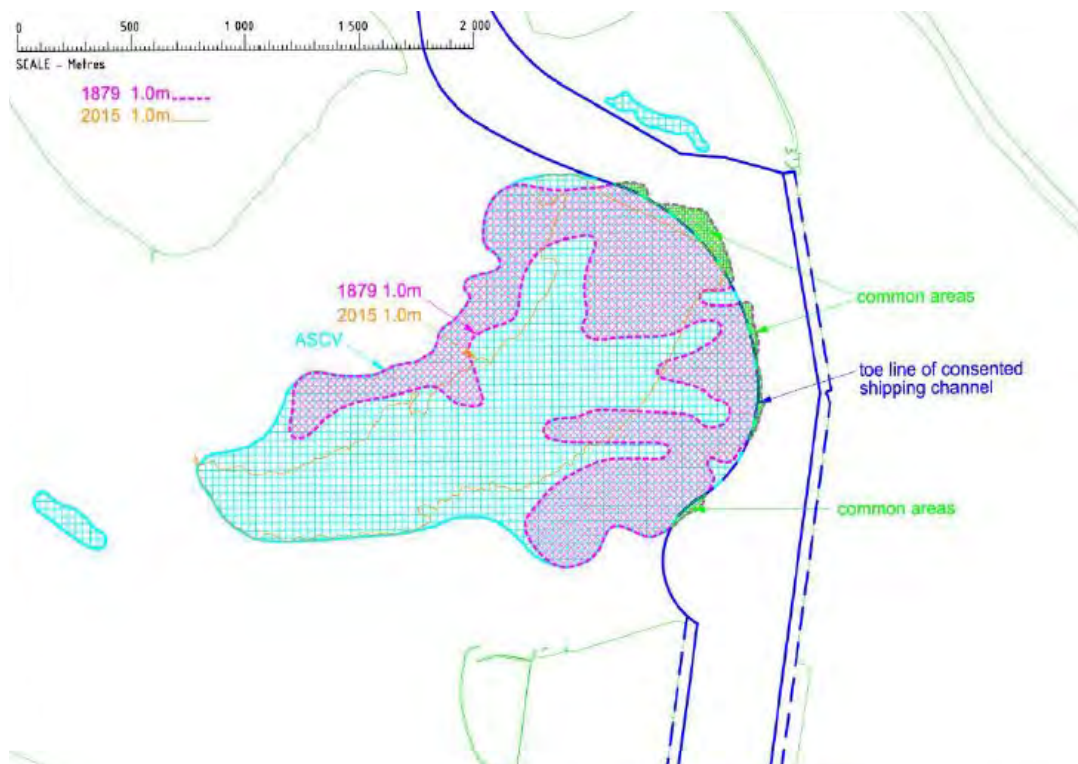
---

under estimated. They are critical to ensuring the maintenance and enhancement of inter-tribal relationships and the physical and spiritual wellbeing of Maori. The practice invokes a deep sense of obligation underpinned by the principles of manaakitanga, Kaitiakitanga and mana.

Te Paritaha is said to be the source of mauri for all other pipi beds in Te Awanui. The role of whanau hapū and iwi as kaitiaki is to protect the mauri of Paritaha. Mauri in this regard refers to the integrity, form, functioning (including natural biological and ecological processes), resilience, physical and spiritual characteristics & qualities, mana-atua, mana-tangata, tapu life principle, tikanga and kawa practices, connectedness & interdependency and accessibility. This involves ensuring that the full physical extent of the integrity of Paritaha is acknowledged. In this way, the kaimoana that Paritaha supports is also protected.

Figure 1 shows the full extent of Te Paritaha o Te Awanui, which includes the historic (1879) and current (2015) extent aligned to the bathymetry (1 metre contour line). While the areas of Te Paritaha that extend into the Port of Tauranga shipping channel, and identified in green as common areas on Figure 1, are excluded from the ASCV 4A shown on Map 11 b, the full extent of Te Paritaha o Te Awanui is recognised and acknowledged.

---





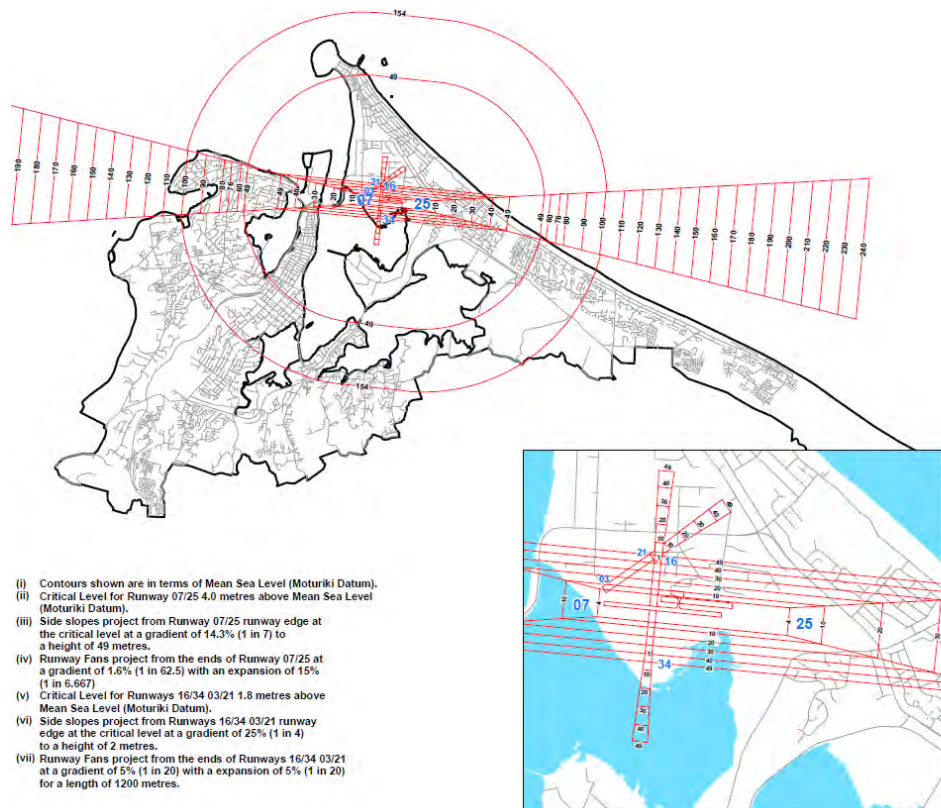
Information Source	Bay of Plenty Regional Coastal Environment Plan
--------------------	---

Schedule 7 Regional Coastal Plan	
----------------------------------	--

Martha Shipwreck	American whaler about 100 ft long. Built in USA c1805. Located off Sulphur Point marina near rock retaining wall. Highly likely that at least half of the hull is buried under the northern breakwater wall.
------------------	--

## Option: Port of Tauranga

### Airport Slope Surfaces



#### Information Source

Tauranga City Plan

#### Schedule 7 Regional Coastal Plan

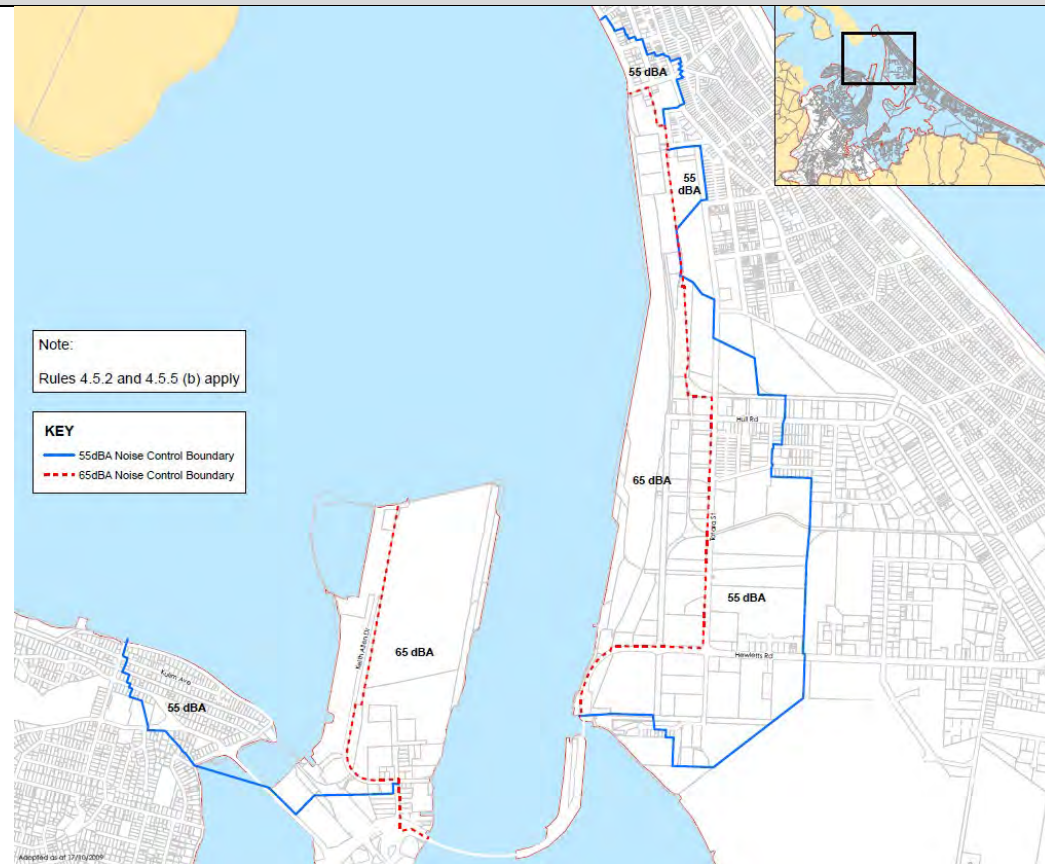
#### Notes

- Contours shown are in terms of Mean Sea Level (Moturiki Datum).
- Critical Level for Runway 07/25 4.0 metres above Mean Sea Level (Moturiki Datum).
- Side slopes project from Runway 07/25 runway edge at the critical level at a gradient of 14.3% (1 in 7) to a height of 49 metres.
- Runway Fans project from the ends of Runway 07/25 at a gradient of 1.6% (1 in 62.5) with an expansion of 15% (1 in 6.667)
- Critical Level for Runways 16/34 03/21 1.8 metres above Mean Sea Level (Moturiki Datum).
- Side slopes project from Runways 16/34 03/21 runway edge at the critical level at a gradient of 25% (1 in 4) to a height of 2 metres.
- Runway Fans project from the ends of Runways 16/34 03/21 at a gradient of 5% (1 in 20) with an expansion of 5% (1 in 20) for a length of 1200 metres.



## Option: Port of Tauranga

### Tauranga Port Noise Contours



**Information Source** Tauranga City Plan

#### Relevant Noise Controls

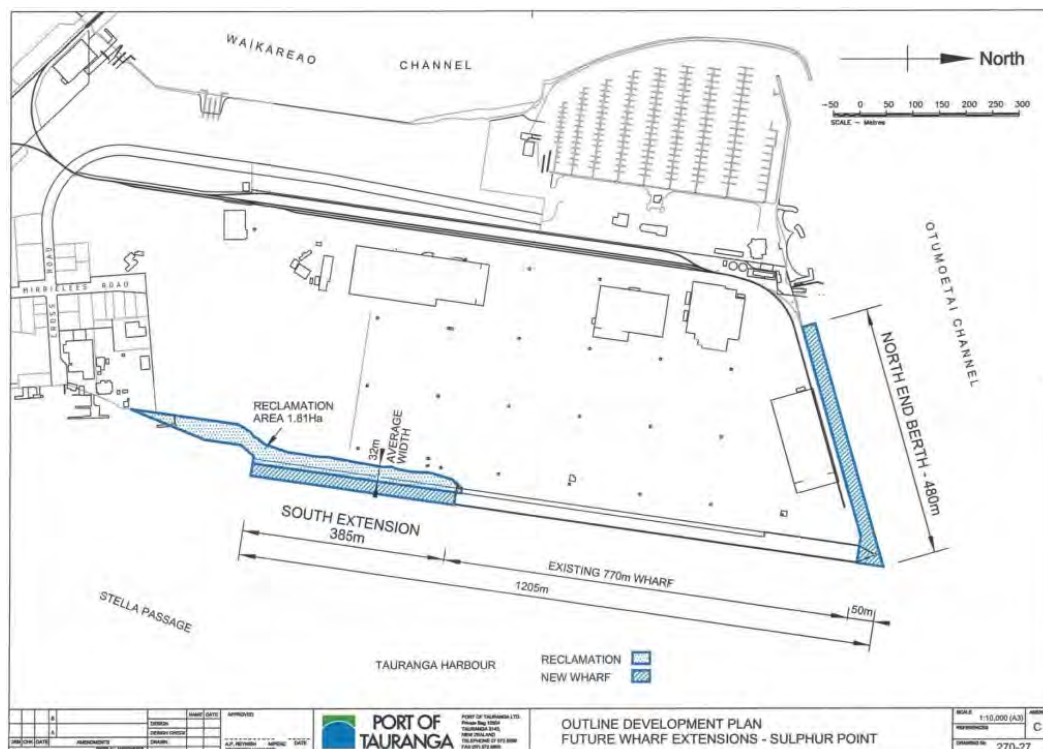
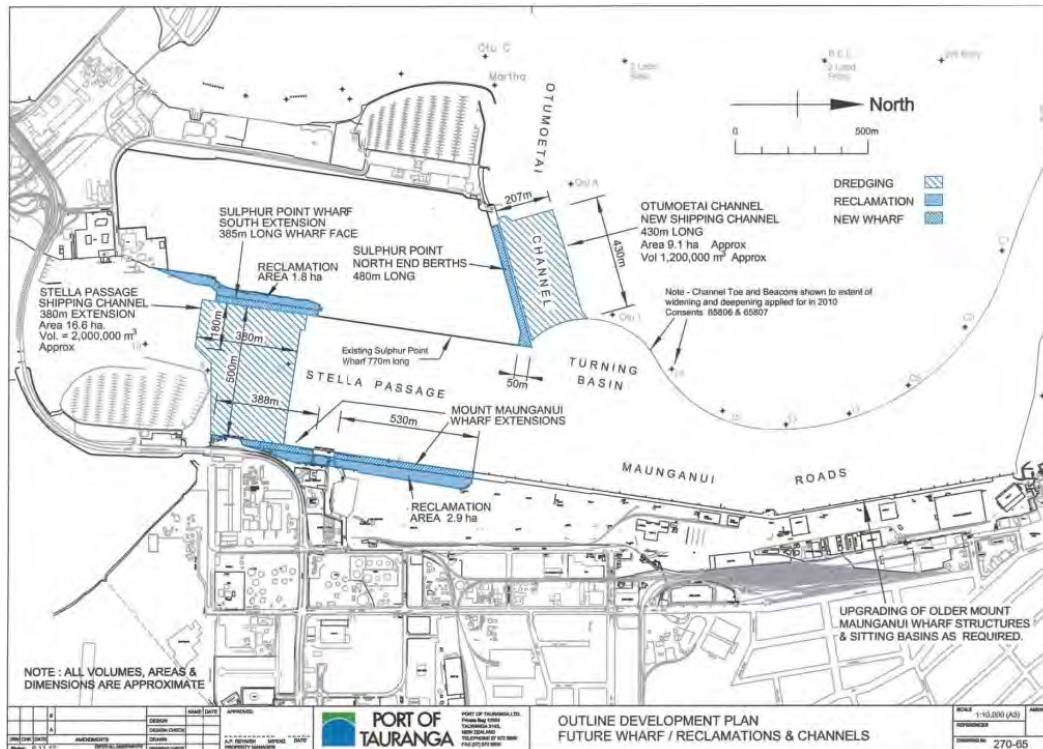
<b>55dBA Noise Control Boundary</b>	The long-term average sound level (L <sub>dn</sub> ) from all activities within the Port Industry Zone shall not exceed 55 dBA at any point outside the 55 dBA noise control boundary.
<b>65dBA Noise Control Boundary</b>	<p>The long-term average sound level (L<sub>dn</sub>) from all activities within the Port Industry Zone shall not exceed 65 dBA at any point outside the 55 dBA noise control boundary.</p> <p>No single 15-minute sound measurement level shall exceed 65 dBA Leq between 2200 and 0700 at any point outside the 65 dBA noise control boundary.</p> <p>The night-time maximum sound level (L<sub>max</sub>) shall not exceed 85 dBA at any point outside of the 65 dBA noise control boundary.</p>

## Option: Port of Tauranga

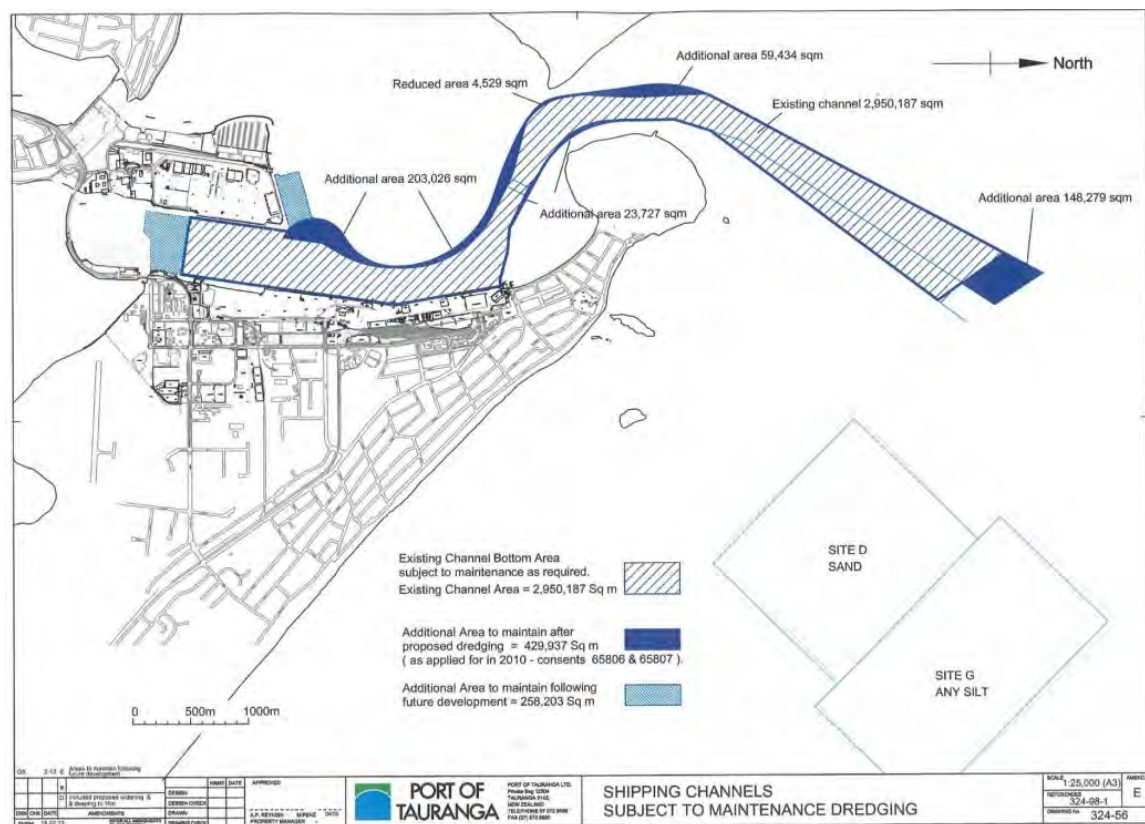
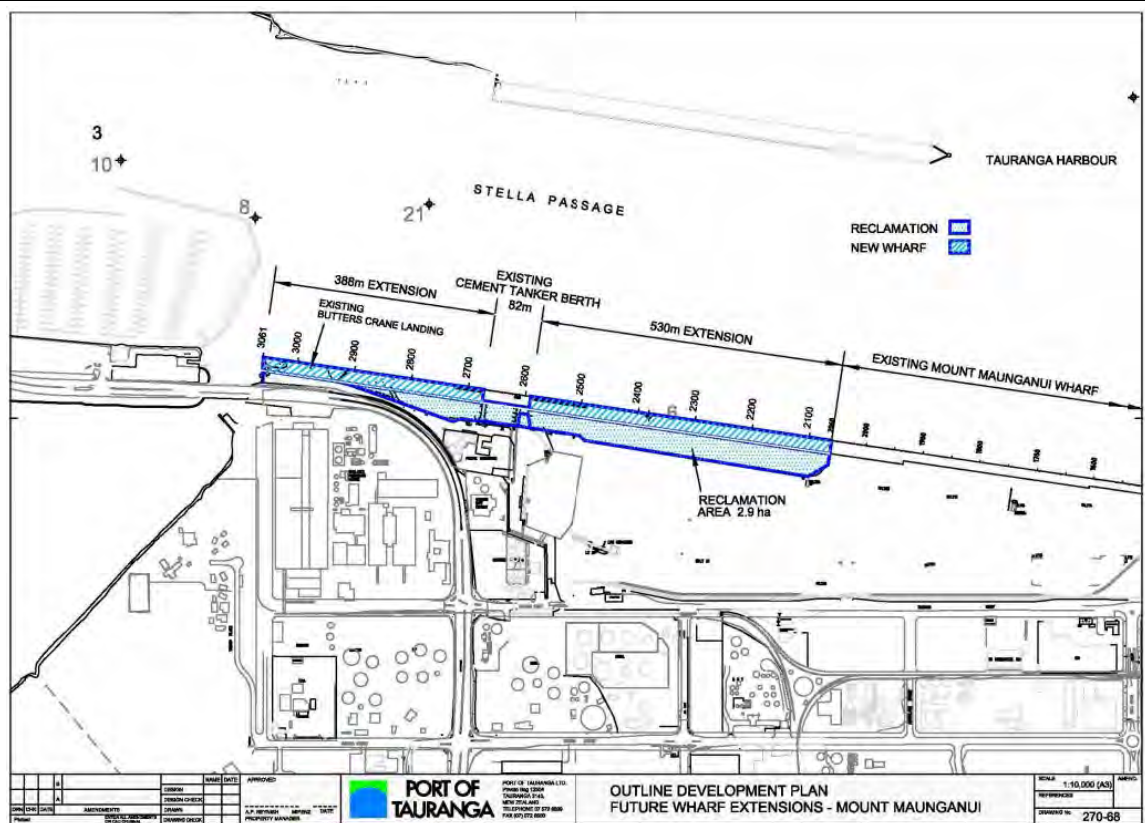
### Port of Tauranga Outline Development Plans

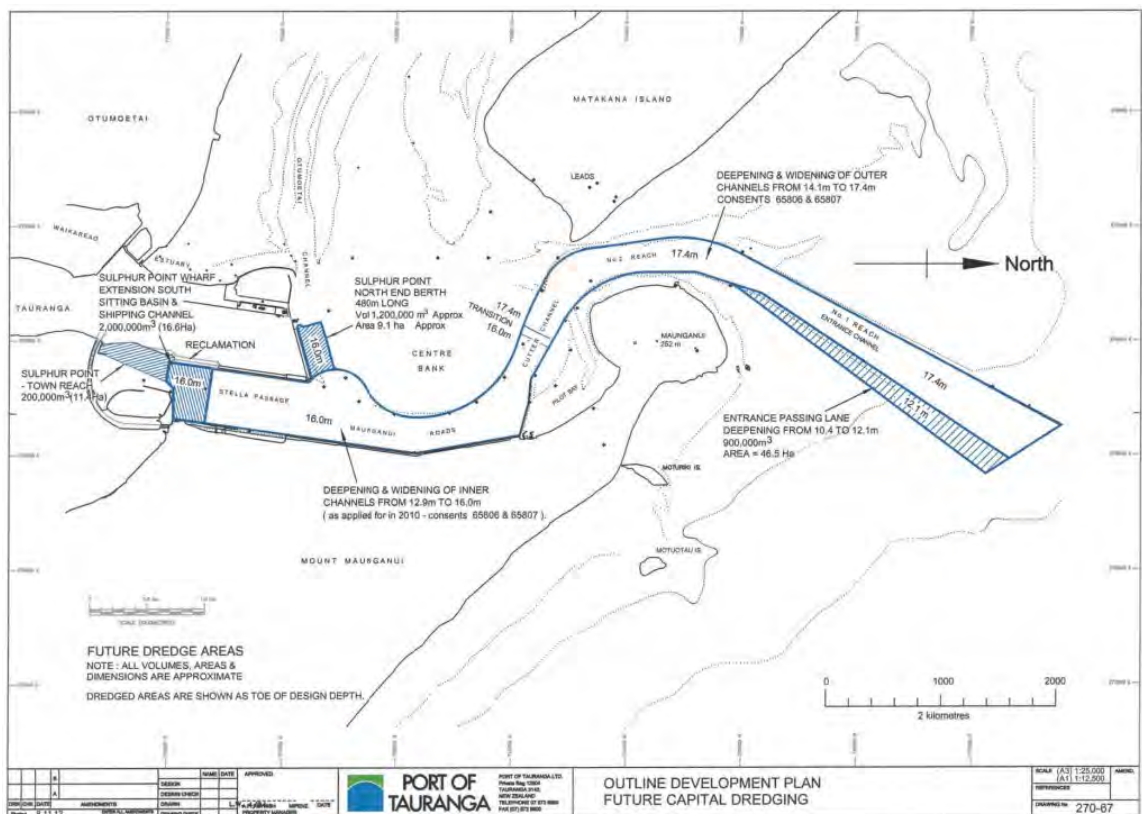
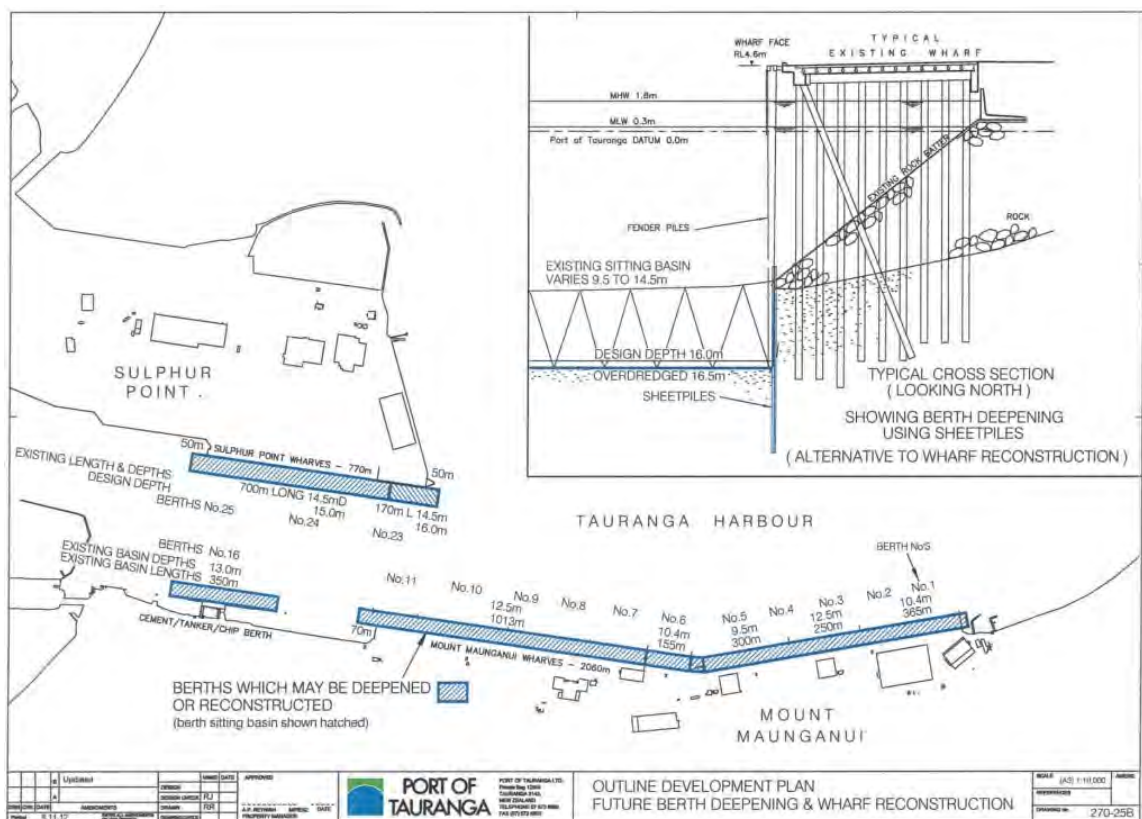
Information Source

Bay of Plenty Regional Coastal Environment Plan

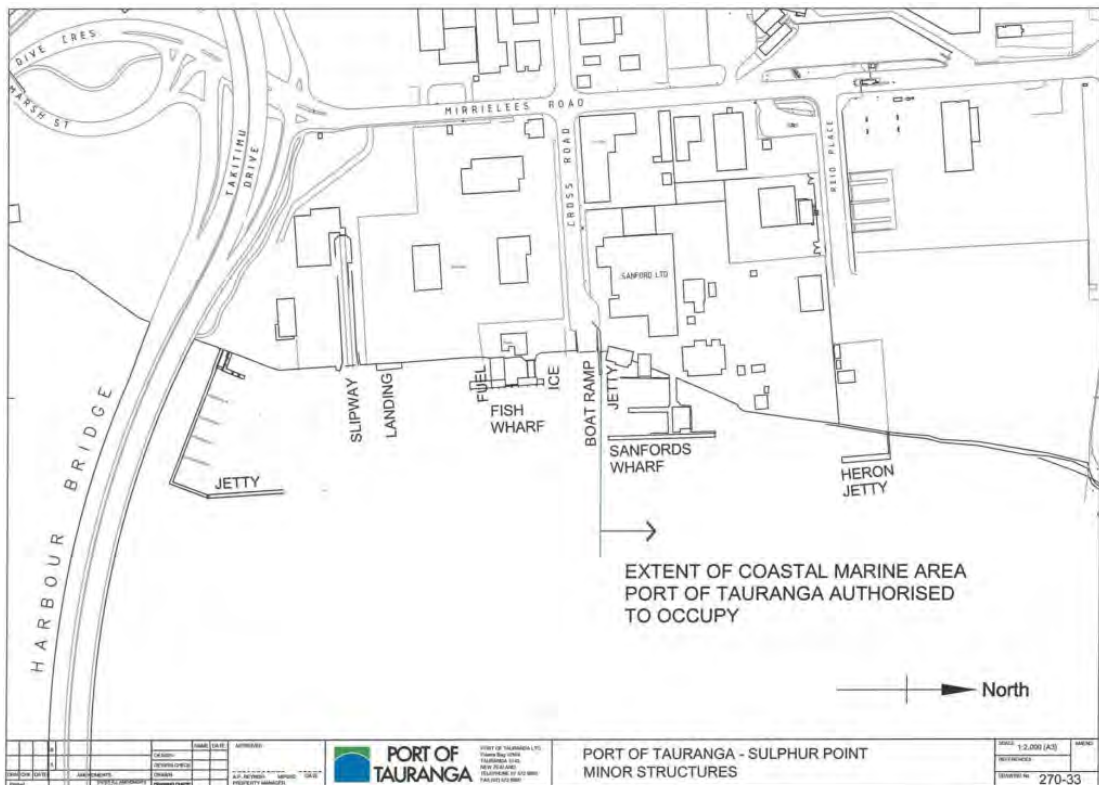
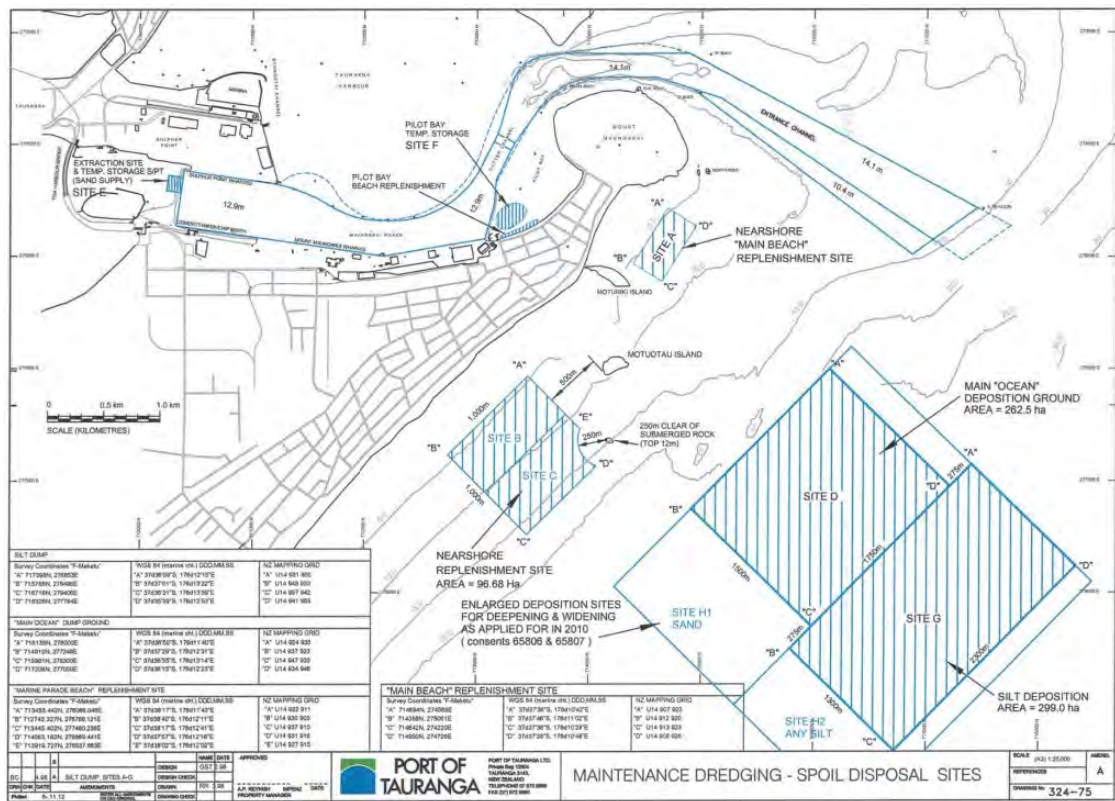














## Option: Port of Tauranga

### Management and Growth Areas

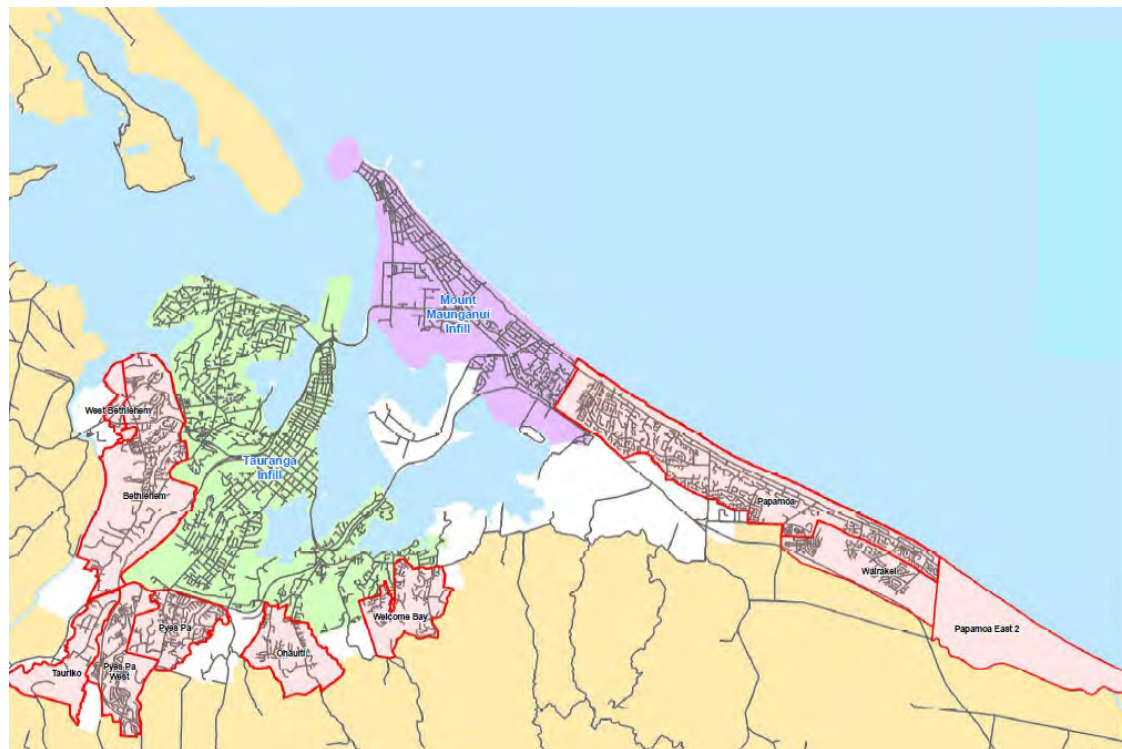


<b>Information Source</b>	Bay of Plenty Regional Policy Statement
<b>Management and Growth areas for the Western Bay of Plenty</b>	Identifies areas where it is anticipated within western Bay of Plenty that natural hazard risk reduction can be achieved while providing for urban development.



## Option: Port of Tauranga

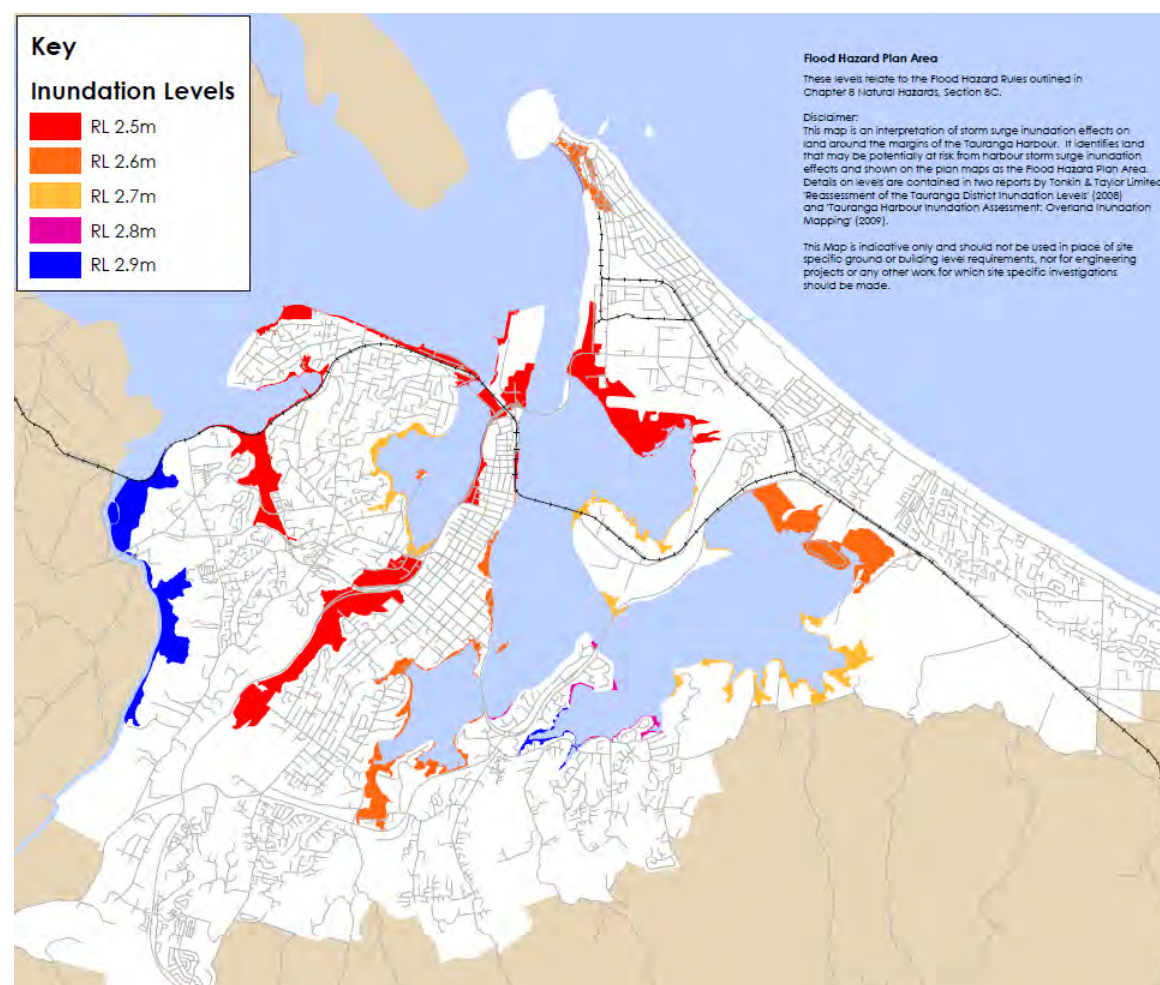
### Financial Contribution Urban Growth Area



<b>Information Source</b>	Tauranga City Plan
<b>Financial Contributions</b>	<p>Financial contributions may be imposed as conditions of subdivision, development or required as conditions for permitted activities.</p> <p>The plan is used to delineate different financial contributions calculations.</p>

## Option: Port of Tauranga

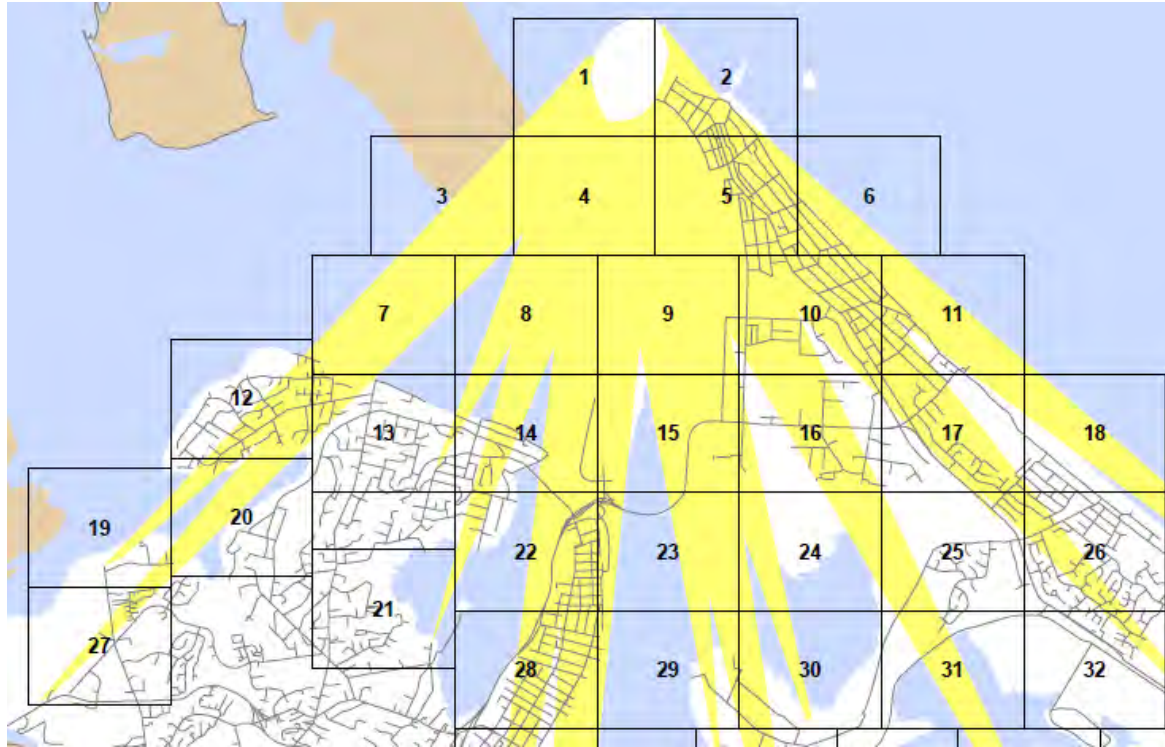
### Potential Inundation from Harbour Storm Surge (Flood Hazard Plan Area)



<b>Information Source</b>	Tauranga City Plan
<b>Purpose of the Flood Hazard Plan Area</b>	The purpose of the Flood Hazard Plan Area is to identify where harbour inundation risk during 50 and 100-year return period storm events is likely to occur. To manage the flood hazard risk, Council has mapped areas around the harbour that are likely to become susceptible to flooding due to their low-lying nature. The Flood Hazard Plan Area shows those areas situated lower than 2.5– 2.9 metres above Moturiki Datum. The overall purpose of this Plan Area is to ensure buildings and structures are not susceptible to harbour flooding, provided that the land or finished floor level is raised above the minimum levels and does not cause adverse effects on existing buildings and structures and surrounding property.

## Option: Port of Tauranga

### Viewshaft Protection Area



#### Information Source

Tauranga City Plan

#### Viewshaft Protection Area

These areas relate to the Viewshaft Protection Area rules outlined in each relevant Chapter of the City Plan.

This map is an interpretation of possible building height that could be obtained taking into account topography and the permitted heights of each relevant zone.

The map identifies the height that a building or structure could be built to, above the existing permitted height of the zone in which the activity is proposed to be located.



**Option: Port of Tauranga****High Level Consent requirements<sup>2</sup>**

<b>Overall likely activity status</b>	<ul style="list-style-type: none"><li>• Discretionary</li></ul>
<b>Reclamation</b>	<ul style="list-style-type: none"><li>• The discharge, reclamation and deposition onto the foreshore or seabed in the areas and shown in Schedule 9 (attached to this appendix) is a restricted discretionary activity.<sup>3</sup></li><li>• Construction of the Sulphur Point Wharf Extension South to accommodate the future wharf extension shown on drawing 270-27 in Schedule 9;</li><li>• Construction of the Mt Maunganui Wharf Extension South to accommodate the future wharf extensions shown on drawing 270-68 in Schedule 9 to this Plan.</li></ul>
<b>Dredging</b>	<ul style="list-style-type: none"><li>• Any discharge and disturbance (including removal of sand, shingle, shell, or other natural material) of, the foreshore or seabed associated with maintenance dredging is a controlled activity.<sup>4</sup></li><li>• Any discharge and disturbance (including removal of sand, shingle, shell, or other natural material) of, the foreshore or seabed for the following activities as shown on Plan 270-67 in Schedule 9 (attached to this appendix) is a restricted discretionary activity.<sup>5</sup><ul style="list-style-type: none"><li>• Construction of the Sulphur Point North End Berth and Shipping Channel,</li><li>• Construction of the Sulphur Point Wharf Extension South Sitting Basin and Shipping Channel,</li><li>• Deepening of the Sulphur Point Town Reach,</li><li>• The Mount Maunganui Wharfs Future Berth Deepening as shown on Plan 270-25B, and</li><li>• Deeping of the existing entrance passing lane.</li></ul></li></ul>
<b>Occupation</b>	<ul style="list-style-type: none"><li>• The occupation of the common marine and coastal area by the Port of Tauranga Limited provided this is within the area shown in the current occupation permit granted to the Port under section 384A of the Resource Management Act 1991 is a controlled activity.<sup>6</sup></li><li>• The occupation of the common marine and coastal area by structures and activities in the Port Zone that were established at the date this Plan became operative is a controlled activity.<sup>7</sup></li></ul>

<sup>2</sup> This list is not intended to be a complete list of all consents required under the AUP. Instead it identifies the key likely and potential resource consents required under the Bay of Plenty Regional Coastal Environment Plan. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

<sup>3</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ11

<sup>4</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ5

<sup>5</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ10

<sup>6</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ6

<sup>7</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ6

---

**Structures**

- Any reconstruction of lawfully established structures provided for in permitted activity Rule PZ 2(b), where reconstruction exceeds 10% of the horizontal or vertical cross-sectional areas of the structure at 24 June 2014, but all other conditions of Rule PZ 2 can be met, is a controlled activity.<sup>8</sup>
- With the exclusion of the Sulphur Point North End Berth shown on Map 270-27C contained in Schedule 9 (attached to this appendix), the erection, reconstruction, placement, alteration, extension, removal or demolition of the following is a discretionary activity:<sup>9</sup>
  - Any structure or building (excluding cranes) within the area that the Port of Tauranga Limited has been granted a section 384A occupation permit.
  - For the avoidance of doubt, this rule covers the erection or placement, alteration, extension or removal of structures, the occupation of space in the common marine and coastal area by the structure, the disturbance of the foreshore and seabed associated with the activity including dredging required as part of the construction, the deposition of material in the coastal marine area associated with the activity and any discharge associated with the construction or removal activity.

---

**General**

- Any activity in the Port Zone, which is not provided for as a permitted, controlled, restricted discretionary or prohibited activity, is a discretionary activity.<sup>10</sup>
- 

---

<sup>8</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ7

<sup>9</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ8

<sup>10</sup> Bay of Plenty Regional Coastal Environment Plan, Rule PZ13

## **Appendix F**

Kawakawa Bay Planning

Summary

## Option: Firth of Thames – Kawakawa Bay

### Approximate Location of Kawakawa Bay Site



#### Description

The Kawakawa Bay site is located within the Firth of Thames in the Hauraki Gulf, between Raukura Point and Puatiti Point. Development at this site would likely comprise:

- The establishment of a new reclaimed island southeast of Ponui Island, approximately 6km from Kawakawa Bay. The proposed island port would occupy a footprint of approximately 250 hectares;
- Construction of two approximately 6km long new bridges to provide access to and from the port;
- Construction of substantial protective infrastructure would be necessary in the form of two breakwaters up to 1km in length;
- Limited dredging activities would be required; and
- The development of new or an extension of existing transportation links between the bridges and the existing transportation networks.

#### Information Source

Auckland Unitary Plan  
Sea Change – Spatial Plan for the Hauraki Gulf  
Consultant's report to the Port of the Future Study June 2016

#### Statutory Acknowledgement Area

Within Treaty Settlement Statutory Acknowledgement Area, relating to Ngāi Tai ki Tamaki

Other iwi with interests in the Firth of Thames are:

- Ngāti Whānaunga
- Ngāti Rahiri Timutimu

	<ul style="list-style-type: none"> <li>• Ngāti Pukenga ki Waiau</li> <li>• Ngāti Hako</li> <li>• Ngai Tai Ki Tamaki</li> <li>• Ngāti Tamatera</li> <li>• Ngāti Paoa; and Ngāti Maru</li> </ul>
<b>Zones</b>	<ul style="list-style-type: none"> <li>• Coastal - General Coastal Marine Zone, Tāmaki -Firth coastal area</li> <li>• Coastal – Coastal Transition Zone</li> <li>• Rural - Rural Coastal Zone Tāmaki -Firth coastal area</li> <li>• Small parcel of Informal Recreation Zone</li> <li>• Road Reserve</li> </ul>
<b>Surrounding Zones</b>	<ul style="list-style-type: none"> <li>• Rural - Rural Coastal Zone</li> <li>• Rural – Rural Production Zone</li> <li>• Residential – Single House Zone (within Kawakawa Bay to the east of the site)</li> </ul>
<b>Designation</b>	<ul style="list-style-type: none"> <li>• Designation 604 Auckland Council, Regional Park, Orere Point</li> </ul>
<b>Overlays<sup>1</sup></b>	<ul style="list-style-type: none"> <li>• Located within Significant Ecological Area Marine 1, Marine 2 and Terrestrial.</li> <li>• Located within the Outstanding Natural Landscape associated with the Hunua Ranges</li> <li>• Located within the Outstanding Natural Feature associated with the Kawakawa Bay deformed chert beds</li> <li>• Located within the High Natural Character of Te Kaiahorawaru Point</li> <li>• The significant Orere Point surf break, located to the south of the site</li> <li>• The site is located within the Macroinvertebrate Community Index</li> </ul>
<b>Overall likely activity status for a resource consent (CMA only)</b>	<ul style="list-style-type: none"> <li>• Non-complying</li> </ul>

<sup>1</sup> For the purposes of this evaluation, this section includes all Precincts, Overlays and Controls as shown on the Auckland Unitary Planning Maps.

## Option: Firth of Thames – Kawakawa Bay

### Treaty Settlement – Statutory Acknowledgement Area



#### Statutory Acknowledgement Area

Within Treaty Settlement Statutory Acknowledgement Area, relating to Ngai Tai ki Tamaki.

Other iwi with interests in the Firth of Thames are:

- Ngāti Whānaunga
- Ngāti Rahiri Timutimu
- Ngāti Pukenga ki Waiau
- Ngāti Hako
- Ngai Tai Ki Tamaki
- Ngāti Tamatera
- Ngāti Paoa; and Ngāti Maru

## Zones



### Coastal Transition Zone

This zone applies to land above mean high water springs. The zone is administrative and has been introduced to account for improvements in the quality of information on the location of the line of mean high water springs. This zone does not presume that the land is either public or private land, rather it clarifies which zone and precinct provisions apply once the tenure of the land has been determined.

### General Coastal Marine Zone

The purpose of the Coastal – General Coastal Marine Zone is to provide for use and development in the coastal marine area, in particular those forms of use and development that have a functional or operational need to be undertaken or located in the coastal marine area,

### Open Space - Informal Recreation Zone

The Open Space – Informal Recreation Zone applies to open spaces that range in size from small local parks to large regional parks. These areas are used for a variety of outdoor informal recreation activities and community uses, such as walking, running, cycling, relaxing and socialising, picnics, playing and enjoying the environment.

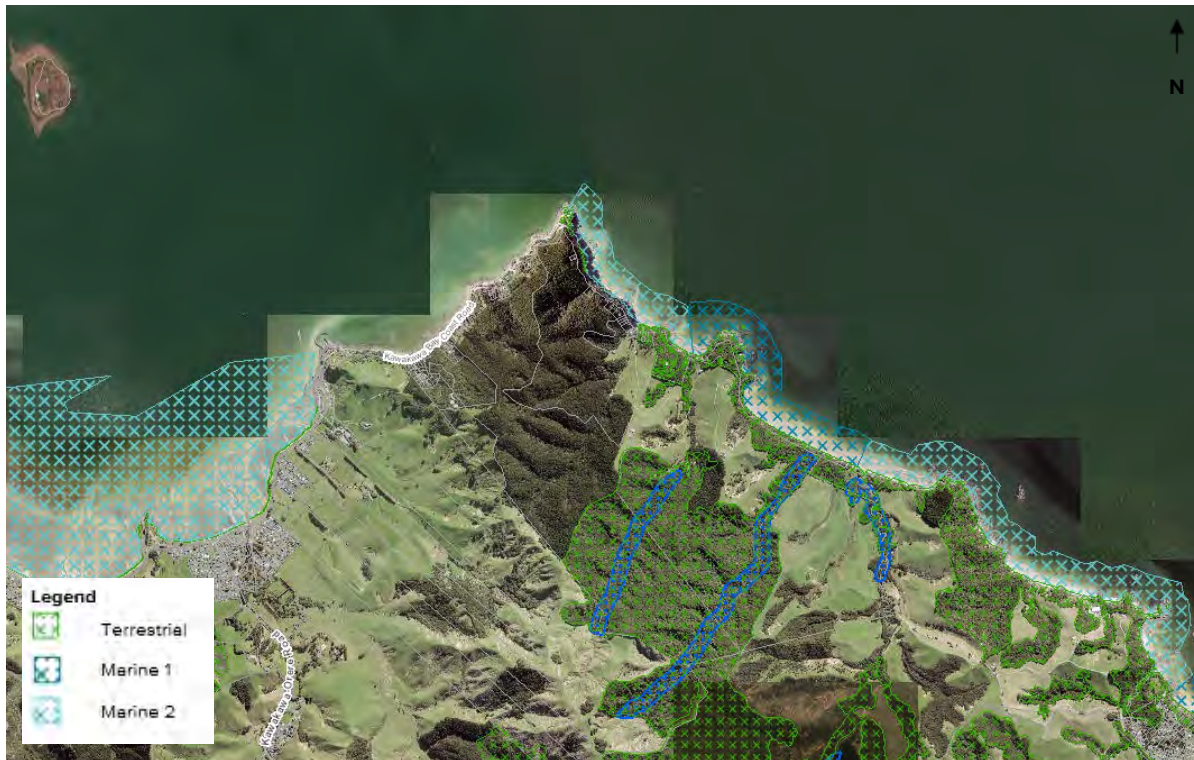
### Rural – Rural Coastal Zone

The purpose of the Rural –Rural Coastal Zone is to retain and enhance the rural character and amenity values, local coastal character and biodiversity values of rural areas along Auckland's harbours, estuaries and coastline. It is also to enable rural production activities, local non-residential activities, maintain recreational opportunities and manage the effects of existing scattered rural lifestyle development. The zone also provides opportunities to access the coastal marine area and support marine-related activities.



## Option: Firth of Thames – Kawakawa Bay

### Significant Ecological Areas Overlay



- Significant Ecological Area**
- Marine 1
  - Marine 2
  - Terrestrial

### Schedule 3 Terrestrial Schedule Classifications

#### Terrestrial SEA\_T\_50 (Factors 2, 4)

#### Threat Status and Rarity (Factor 2)

Sub-factors:

- It is an indigenous habitat, community or ecosystem that occurs naturally in Auckland and has been assessed (using the IUCN threat classification system) to be threatened, based on evidence and expert advice (including Holdaway et al. Status assessment of NZ naturally uncommon ecosystems).
- It is a habitat that supports occurrences of a plant, animal or fungi that has been assessed by the Department of Conservation and determined to have a national conservation status of threatened or at risk;
  - or it is assessed as having a regional threatened conservation status including Regionally Critical, Endangered and Vulnerable and Serious and Gradual Decline.
- It is indigenous vegetation that occurs in Land Environments New Zealand Category IV where less than 20% remains.



- (d) It is any indigenous vegetation or habitat of indigenous fauna that occurs within an indigenous wetland or dune ecosystem.
- (e) It is a habitat that supports an occurrence of a plant, animal or fungi that is locally rare;
  - (i) or it has been assessed by the Department of Conservation and determined to have a national conservation status of Naturally Uncommon, Range Restricted or Relict.

**Stepping Stones, Migration pathways and Buffers (Factor 4)**

Sub-factors:

- (a) It is an example of an indigenous ecosystem, or habitat of indigenous fauna that is used by any native species permanently or intermittently for an essential part of their life cycle (e.g. known to facilitate the movement of indigenous species across the landscape, haul-out site for marine mammals) and therefore makes an important contribution to the resilience and ecological integrity of surrounding areas.
- (b) It is an example of an ecosystem, indigenous vegetation or habitat of indigenous fauna, that is immediately adjacent to, and provides protection for, indigenous biodiversity in an existing protected natural area (established for the purposes of biodiversity protection); or
  - (i) it is an area identified as significant under the 'threat status and rarity' or 'uniqueness' factor. This includes areas of vegetation (that may be native or exotic) that buffer a known significant site. It does not include buffers to the buffers.
- (c) It is part of a network of sites that cumulatively provide important habitat for indigenous fauna or when aggregated make an important contribution to the provision of a particular ecosystem in the landscape.
- (d) It is a site which makes an important contribution to the resilience and ecological integrity of surrounding areas.

---

**Terrestrial SEA\_T\_5360**  
**(Factors 2, 3, 4, 5)**

**Threat Status and Rarity (Factor 2)(see above)**

**Diversity (Factor 3)**

Sub-factors:

---

**Terrestrial SEA\_T\_2989**  
**(Factors 2, 3, 4, 5)**

- (a) It is any indigenous vegetation that extends across at least one environmental gradient resulting in a sequence that supports more than one indigenous habitat, community or ecosystem type e.g., an indigenous estuary to an indigenous freshwater wetland.
  - (b) It supports the expected indigenous ecosystem diversity for the habitat(s).
  - (c) It is an indigenous habitat type that supports a typical species richness or species assemblage for its type.
-

**Stepping Stones, Migration pathways and Buffers (Factor 4) (see above)**

**Uniqueness or Distinctiveness (Factor 5)**

Sub-factors:

- (a) It is habitat for a plant, animal or fungi that is endemic to the Auckland region (i.e. not found anywhere else).
- (b) It is an indigenous ecosystem that is endemic to the Auckland region or supports ecological assemblages, structural forms or unusual combinations of species that are endemic to the Auckland region.
- (c) It is an indigenous ecosystem or a habitat that supports occurrences of a plant, animal or fungi that are near-endemic (i.e., where the only other occurrence(s) is within 100km of the council boundary).
- (d) It is a habitat that supports occurrences of a plant, animal or fungi that is the type locality for that taxon.
- (e) It is important as an intact sequence or outstanding condition in the region.
- (f) It is a habitat that supports occurrences of a plant, animal or fungi that is the largest specimen or largest population of the indigenous species in Auckland or New Zealand.
- (g) It is a habitat that supports occurrences of a plant, animal or fungi that are at (or near) their national distributional limit.

**Terrestrial SEA\_T\_9040**  
**(Factors 3, 4)**

**Diversity (Factor 3) (see above)**

**Stepping Stones, Migration pathways and Buffers (Factor 4) (see above)**

**Schedule 4 Marine Schedule Classifications**

**Marine 2 SEA\_M2\_40i**

**Kawakawa to Matingarahi**

**Marine 2 SEA\_M2\_40g**

The section of coast from Raukura Point to Orere Point is one of the richest areas in the region for rocky shore and sandy beach flora and fauna. In some places, the marine ecosystem grades into areas of natural coastal vegetation, some of which is considered to be amongst the best in the Hunua ecological district (40a) and at Papanui Point (40h) there are a number of threatened plant species within this vegetation. A thin strip of pohutukawa forest occurs along the cliff top between Tapapakanga and Orere (south of the site) contains one of the best areas of pohutukawa forest on coastal sediments.

**Marine 1 SEA\_M1\_40h**

**Kawakawa to Matingarahi**

The marine ecosystem grades into areas of natural coastal vegetation, which is considered to be amongst the best in the Hunua ecological district and at Papanui Point there are a number of threatened plant species within this vegetation. Best coastal mapou forest with emergent kanuka, tanekaha and pohutukawa, on coastal sediments in the ecological district, on coastal hillslopes adjacent to Tawhitokino Beach. Coastal bird species, including shags, terns and gulls roost in the coastal trees and adjoining rocks. Little blue penguins probably also nest here.

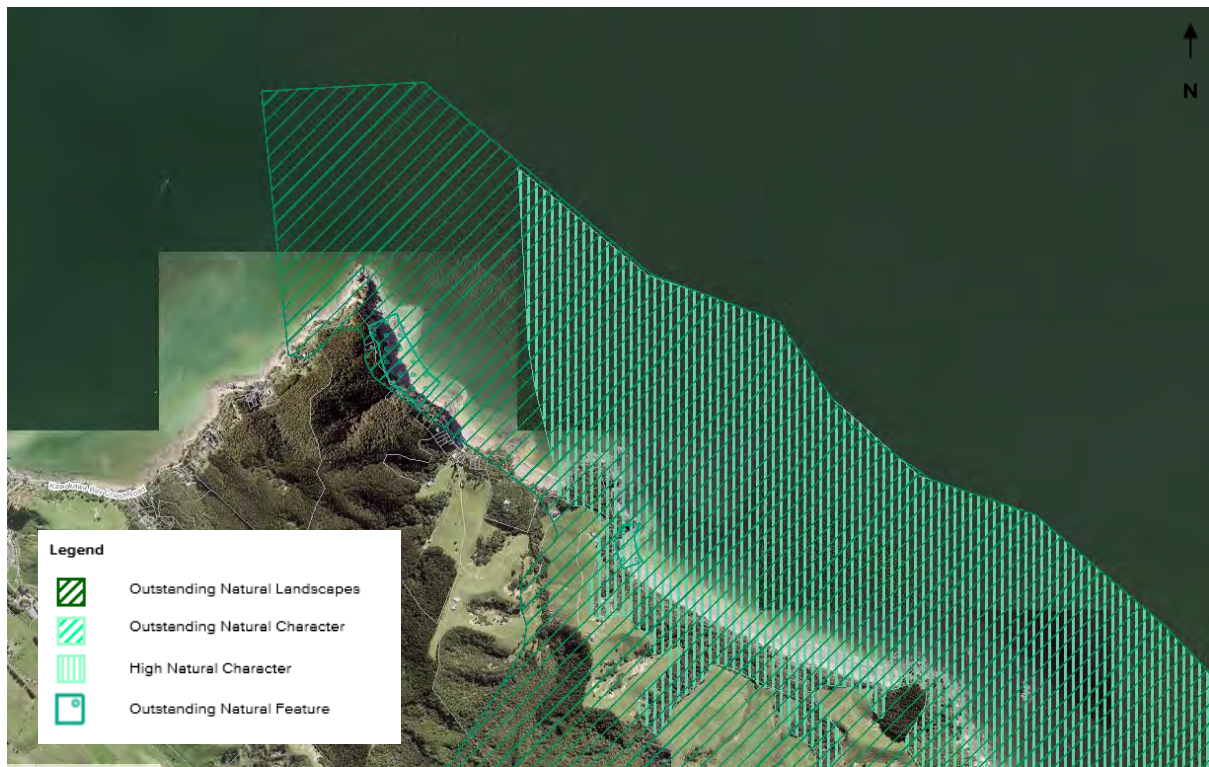
**Marine Ecology**

The benthic habitat within the immediate footprint is predominantly mud and very fine sand. Rocky reef habitat is restricted to the head lands and terminations in relatively shallow water.

Kawakawa Bay is itself typified by dense beds of cockle and pipi and wedge shells are also apparent.

## Option: Firth of Thames – Kawakawa Bay

### Outstanding Natural Features, Landscapes and Character Areas



### Schedule 6 Outstanding Natural Feature Overlay Schedule

#### Kawakawa Bay deformed chert beds, ID 59

In shore platforms at Tawhitikino Beach and near Waiti Bay, chert pods appearing to be of Triassic age among Jurassic greywackes give a useful indication of the melange nature of Waipapa Terrane.

Location: Kawakawa Bay

Site Type: E (Fragile exposures of geological material)

Plan Criteria: a, b, g, i, l

### Schedule 7 Outstanding Natural Landscapes Overlay Schedule

#### Hunua Ranges, Area 62

Hill country Cultured nature/wild nature (hill country)

Second major hill range flanking Auckland's metropolitan area: dominated by native forest and water catchments focusing upon lake reservoirs and strong connection with the margins of the Firth of Thames. Combines relatively high relief with significant areas of native forest & maturing vegetation; only low levels of built modification (houses).

Location: Franklin (Part in Manukau area)

### Schedule 8 High Natural Character Overlay Schedule

#### Te Kaiahorawaru Point, Area 146

A series of coastal ridgelines that back two broad sweeping beachfronts and rocky shoals, separating them as they protrude out

into the Hauraki Gulf as Te Kaiahorawaru Point. The coastal margins and rolling hinterland landforms are extensively vegetated in remnant and regenerating native forest. Although some of the hinterland vegetation in the north has been cleared for pasture, and an exotic woodlot is planted on the western side of the headland, this does not undermine the integrity of the underlying landforms or the cohesion of the coastline as a whole. The amalgam of mature pohutukawa, exposed coastal escarpments, clearly defined headland, sweeping beaches and rocky shoals imbue the coastal environment with an endemic character and sense of wilderness and remoteness.

Location: Orere Point

---

## Option: Firth of Thames – Kawakawa Bay

### Surf Breaks

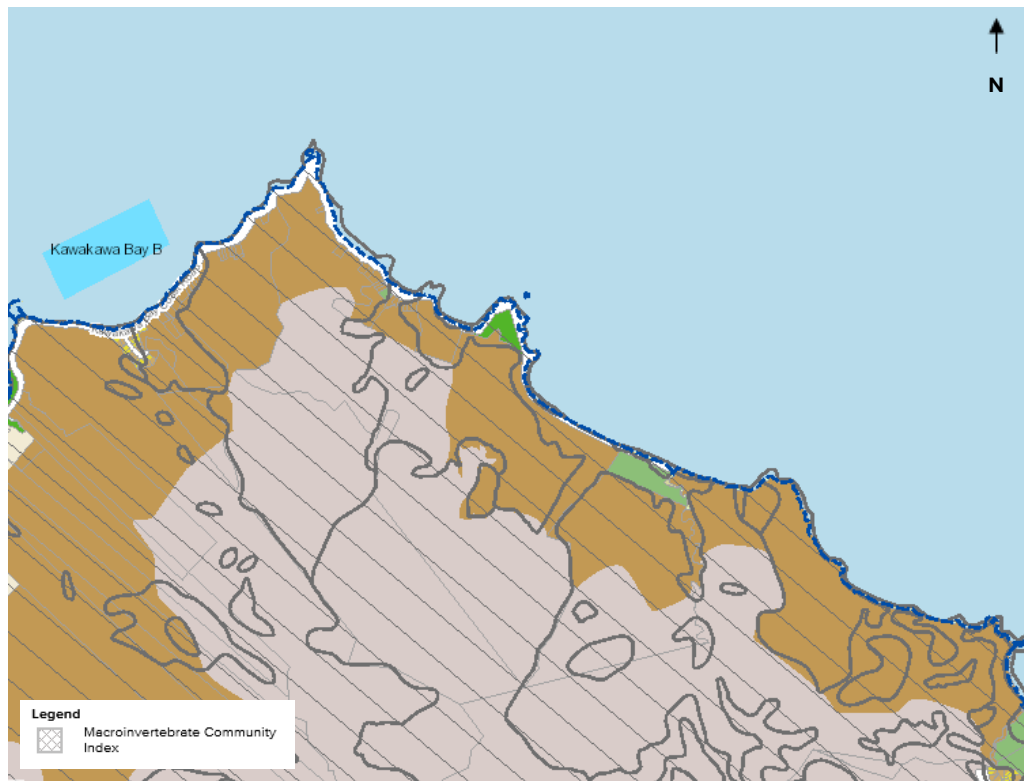


#### Surf Break ID 16 – Orere Point

Location:	East Coast
Break Type:	Point Break
Seabed Composition:	Boulders/Cobbles
Description:	Sheltered point break. Inconsistent. Good wave quality suitable to novice to competent surfers. Good access.

## Option: Firth of Thames – Kawakawa Bay

### Macroinvertebrate Community Index



#### Index

The landward areas of the site are overlaid of three identified macroinvertebrate community indices, including Exotic, Native and Rural.

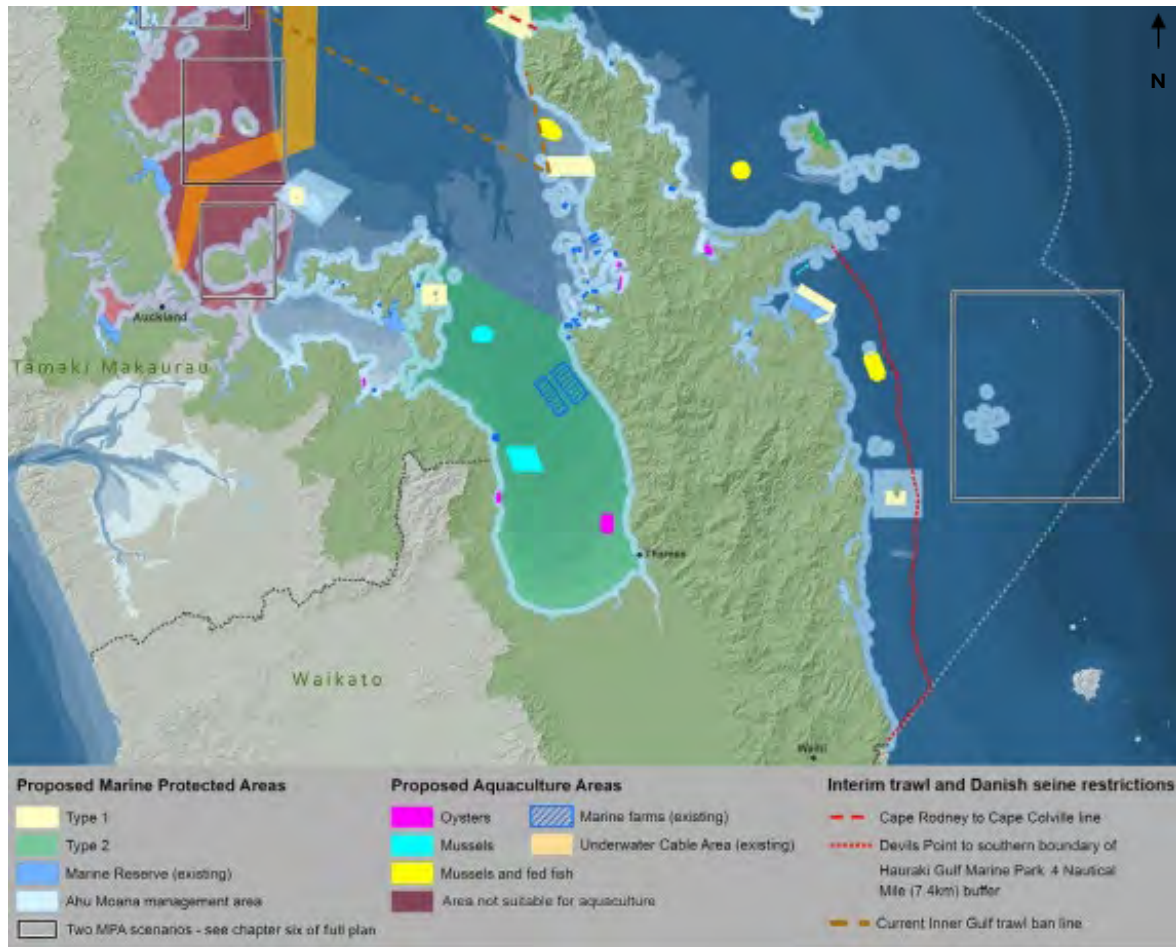
These indices are used to inform water quality and integrated management responses on land.

These overlays only apply to those activities within the landward area of the wider Puhinui site.



## Option: Firth of Thames – Kawakawa Bay

### Hauraki Gulf Spatial Plan



#### Information Source

Sea Change – Hauraki Gulf Marine Spatial Plan, April 2017

#### Hauraki Spatial Plan

Map showing proposed marine protected areas, existing and proposed aquaculture areas and benthic fishing restrictions.

#### Proposed Marine Protected Area –

**Type 2** - protection of Firth of Thames benthic environments to support regeneration efforts of historic mussel beds in the area. Excludes all benthic impacting fishing methods.

As a whole and within the New Zealand context, the large Firth of Thames embayment and the extensive mussel beds once found in the area would have been quite unique. A near collapse of all hard, biogenic reefs composed of green-lipped mussels, sponges, ascidians and cnidarians brought on by heavy dredging was observed by the 1960s. There are ongoing water quality issues.

The Firth of Thames is considered important for juvenile snapper and spotted dogfish (rig), and is a nationally important nursery area for smooth hammerhead shark.

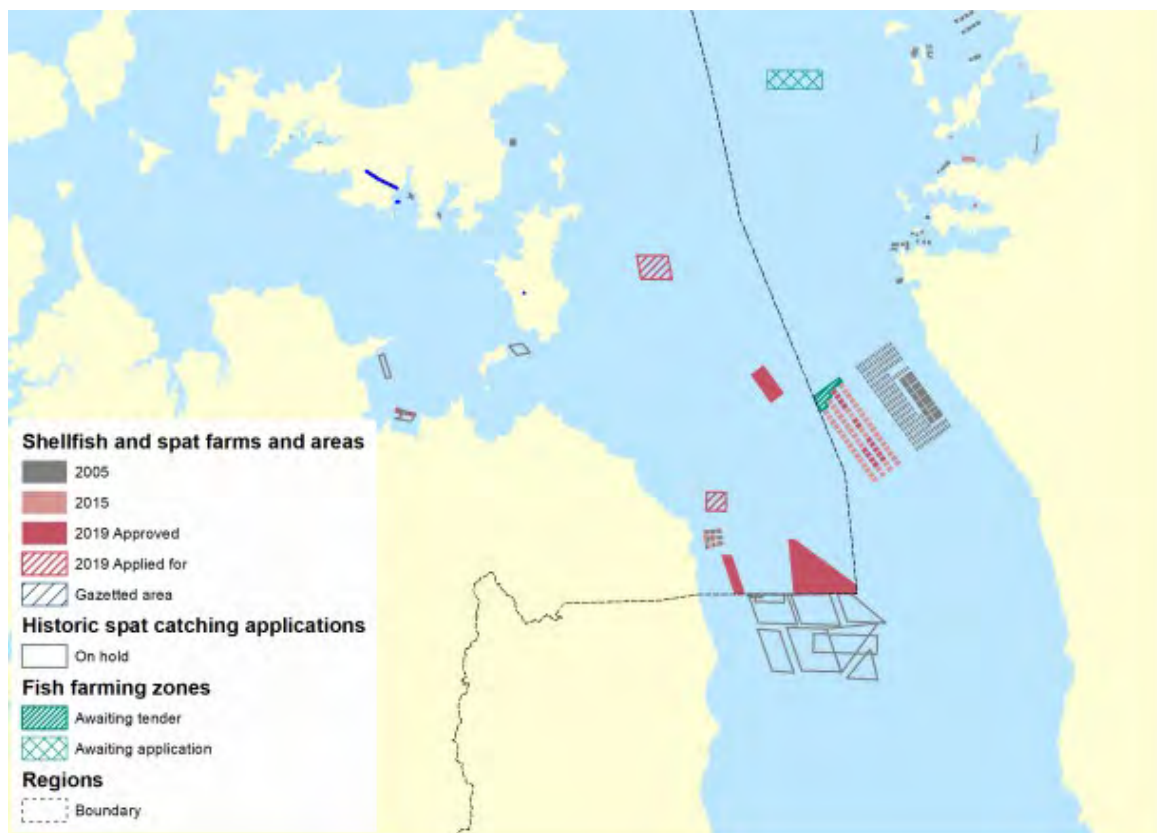
The southern end of the Firth is of international significance for migratory birds.

---



## Option: Firth of Thames – Kawakawa Bay

### Marine Farms



Information Source

State of the Gulf 2020

Hauraki Gulf Marine Act 2000

Section 7

**Recognition of national significance of Hauraki Gulf**

- (1) The interrelationship between the Hauraki Gulf, its islands, and catchments and the ability of that interrelationship to sustain the life-supporting capacity of the environment of the Hauraki Gulf and its islands are matters of national significance.
- (2) The life-supporting capacity of the environment of the Gulf and its islands includes the capacity—
  - (a) to provide for—
    - (i) the historic, traditional, cultural, and spiritual relationship of the tangata whenua of the Gulf with the Gulf and its islands; and
    - (ii) the social, economic, recreational, and cultural well-being of people and communities:
  - (b) to use the resources of the Gulf by the people and communities of the Gulf and New Zealand for economic activities and recreation:
  - (c) to maintain the soil, air, water, and ecosystems of the Gulf.

Section 8

**Management of Hauraki Gulf**

To recognise the national significance of the Hauraki Gulf, its islands, and catchments, the objectives of the management of the Hauraki Gulf, its islands, and catchments are—

- (a) the protection and, where appropriate, the enhancement of the life-supporting capacity of the environment of the Hauraki Gulf, its islands, and catchments:
- (b) the protection and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments:
- (c) the protection and, where appropriate, the enhancement of those natural, historic, and physical resources (including kaimoana) of the Hauraki Gulf, its islands, and catchments with which tangata whenua have an historic, traditional, cultural, and spiritual relationship:
- (d) the protection of the cultural and historic associations of people and communities in and around the Hauraki Gulf with its natural, historic, and physical resources:
- (e) the maintenance and, where appropriate, the enhancement of the contribution of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments to the social and economic well-being of the people and communities of the Hauraki Gulf and New Zealand:
- (f) the maintenance and, where appropriate, the enhancement of the natural, historic, and physical resources of the Hauraki Gulf, its islands, and catchments, which contribute to the recreation and enjoyment of the Hauraki Gulf for the people and communities of the Hauraki Gulf and New Zealand.

**Option: Firth of Thames: Kawakawa Bay****High Level Consent requirements<sup>2</sup>**

<b>Overall likely activity status</b>	<ul style="list-style-type: none"><li>• Non-complying</li></ul>
<b>Reclamation</b>	<ul style="list-style-type: none"><li>• Reclamation where it is necessary for the safe and efficient operation or construction of infrastructure:<sup>3</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone: Discretionary</li><li>• Within Significant Ecological Areas Marine 1 and 2, Outstanding Natural Features: Non-complying</li></ul></li></ul>
<b>Depositing and disposal of material</b>	<ul style="list-style-type: none"><li>• Deposition of material in the CMA not otherwise provided for in the rules:<sup>4</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone: Discretionary</li><li>• Within Significant Ecological Areas Marine 1 and 2, Outstanding Natural Features, Outstanding Natural Landscapes, High Natural Character: Non-complying</li></ul></li><li>• Disposal of waste or other matter in the coastal marine area, limited to dredged material, vessels, platforms or other structures: Discretionary<sup>5</sup></li></ul>
<b>Dredging</b>	<ul style="list-style-type: none"><li>• Maintenance dredging<sup>6</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone: Restricted Discretionary</li><li>• Within Significant Ecological Areas Marine 2, High Natural Character and Outstanding Natural Landscapes: Discretionary</li><li>• Within Significant Ecological Areas Marine 1 and Outstanding Natural Features: Non-complying</li></ul></li><li>• Capital works dredging<sup>7</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone Significant Ecological Area Marine 2, Outstanding Natural Landscape and High Natural Character: Discretionary</li><li>• Within Significant Ecological Areas Marine 1 and Outstanding Natural Features: Non-complying</li></ul></li></ul>
<b>CMA Disturbance</b>	<ul style="list-style-type: none"><li>• CMA disturbance related to engineering investigations<sup>8</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone, Significant Ecological Area Marine 2 and High Natural Character areas: Permitted</li><li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Landscapes and Outstanding Natural Features: Discretionary</li></ul></li><li>• CMA disturbance associated with movement of greater than 10,000m<sup>3</sup> of sediment per year within the same coastal cell, where it is required for the safe and efficient operation or construction of significant infrastructure<sup>9</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone, Significant Ecological Areas Marine 2 and High Natural Character areas: Discretionary</li></ul></li></ul>

<sup>2</sup> This list is not intended to be a complete list of all consents required under the Auckland Unitary Plan. Instead it identifies the key likely and potential resource consents required under Sections D to F of the Auckland Unitary Plan. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

<sup>3</sup> Auckland Unitary Plan, Rule F2.19.1 (A4)

<sup>4</sup> Auckland Unitary Plan, Rule F2.19.2 (A10)

<sup>5</sup> Auckland Unitary Plan, Rule F2.19.2 (A12)

<sup>6</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>7</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>8</sup> Auckland Unitary Plan, Rule F2.19.3 (A25)

<sup>9</sup> Auckland Unitary Plan, Rule F2.19.3 (A25)

	<ul style="list-style-type: none"> <li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Features and Outstanding Natural Landscapes: Non-complying</li> <li>• Native vegetation alteration or removal, not otherwise provided for<sup>10</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Restricted Discretionary</li> <li>• Within the Significant Ecological Areas Marine 2 and High Natural Character: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Features and Outstanding Natural Feature: Non-complying</li> </ul> </li> <li>• Mangrove removal to enable the operation, maintenance and use and functioning of infrastructure: <sup>11</sup> <ul style="list-style-type: none"> <li>• Greater than 200m<sup>2</sup> in the General Coastal Marine Zone, Significant Ecological Area Marine 2, Outstanding Natural Landscape and High Natural Character areas: Discretionary</li> <li>• Greater than 30m<sup>2</sup> in Significant Ecological Areas Marine 1 and Outstanding Natural Features: Discretionary</li> </ul> </li> </ul>
<b>Discharges</b>	<ul style="list-style-type: none"> <li>• All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for ((assumes impervious surface area will be greater than 5000m<sup>2</sup>): Discretionary<sup>12</sup></li> <li>• Development of a new or redevelopment of existing impervious areas other than for road, motorway or state highway purposes: Restricted Discretionary or Discretionary<sup>13</sup></li> <li>• Discharges into coastal water not otherwise provided for in the Plan: <sup>14</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Outstanding Natural Landscape, Significant Ecological Areas Marine 2 and High Natural Character: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1 and Outstanding Natural Feature: Non-complying</li> </ul> </li> </ul>
<b>Use and Activities (within the CMA)</b>	<ul style="list-style-type: none"> <li>• Occupation of the common marine and coastal marine area: Discretionary<sup>15</sup></li> <li>• Maintenance and servicing of vessels: <sup>16</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Permitted</li> <li>• Within the Significant Ecological Areas Marine 2 and High Natural Character area: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Landscape and Outstanding Natural Features: Non-complying</li> </ul> </li> <li>• Parking on CMA structures other than as provided for as permitted activity: Discretionary<sup>17</sup></li> <li>• Vehicle use of the foreshore and seabed, not otherwise provided for:<sup>18</sup></li> </ul>

<sup>10</sup> Auckland Unitary Plan, Rule F2.19.3 (A42)

<sup>11</sup> Auckland Unitary Plan, Rule F2.19.3 (A48)

<sup>12</sup> Auckland Unitary Plan, Rule E8.4.1(A10)

<sup>13</sup> Auckland Unitary Plan, Rule E10.4.1(A3) or (A4)

<sup>14</sup> Auckland Unitary Plan, Rule F2.19.7(A70)

<sup>15</sup> Auckland Unitary Plan, Rule F2.19.8 (A84)

<sup>16</sup> Auckland Unitary Plan, Rule F2.19.8 (A89)

<sup>17</sup> Auckland Unitary Plan, Rule F2.19.8 (A94)

<sup>18</sup> Auckland Unitary Plan, Rule F2.19.8 (A96)

	<ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Areas Marine 2, Outstanding Natural Landscape and High Natural Character: Permitted</li> <li>• Within Significant Ecological Areas Marine 1 and Outstanding Natural Features: Non-complying</li> <li>• Underwater blasting, impact and vibratory piling, marine seismic surveys: Restricted Discretionary Activity<sup>19</sup></li> </ul>
<b>Structures</b>	<ul style="list-style-type: none"> <li>• CMA Structures and buildings not provided for elsewhere in the plan:<sup>20</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1 and 2, High Natural Character, Outstanding Natural Landscapes and Outstanding Natural Features: Non-complying</li> </ul> </li> <li>• Occupation associated with CMA structures within the General Coastal Marine Zone, Significant Ecological Areas Marine 1 and 2 and Outstanding Natural Features: Restricted Discretionary<sup>21</sup></li> <li>• Temporary Coastal Marine Structures: <sup>22</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Areas Marine 2 and High Natural Character areas: Permitted</li> <li>• Within Outstanding Natural Landscapes: Restricted Discretionary</li> <li>• Within Significant Ecological Areas Marine and Outstanding Natural Features: Discretionary</li> </ul> </li> <li>• Infrastructure CMA structures not otherwise provided for: Discretionary<sup>23</sup></li> <li>• Marine and port facilities and buildings not on an existing wharf or CMA structure: <sup>24</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Area Marine 2 and High Natural Character: Discretionary</li> <li>• Significant Ecological Areas Marine 1, Outstanding Natural Landscapes and Outstanding Natural Features: Non-complying</li> </ul> </li> <li>• Marine and port accessory structures and services not on an existing wharf or CMA structure: <sup>25</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Area Marine 2 and High Natural Character: Discretionary</li> <li>• Significant Ecological Areas Marine 1, Outstanding Natural Landscapes and Outstanding Natural Features: Non-complying</li> </ul> </li> <li>• Hard Protection Structures<sup>26</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Area, Significant Ecological Areas Marine 2 and High Natural Character areas: Discretionary</li> <li>• Significant Ecological Areas Marine 1, Outstanding Natural Landscapes and Outstanding Natural Features: Non-complying</li> </ul> </li> </ul>

<sup>19</sup> Auckland Unitary Plan, Rule F2.19.8 (114)

<sup>20</sup> Auckland Unitary Plan, Rule F2.19.10(A121)

<sup>21</sup> Auckland Unitary Plan, Rule F2.19.10(A127)

<sup>22</sup> Auckland Unitary Plan, Rule F2.19.10(A128)

<sup>23</sup> Auckland Unitary Plan, Rule F2.19.10(A133)

<sup>24</sup> Auckland Unitary Plan, Rule F2.19.10(A139)

<sup>25</sup> Auckland Unitary Plan, Rule F2.19.10(A140)

<sup>26</sup> Auckland Unitary Plan, Rule F2.19.10 (142)

<b>Earthworks</b>	<ul style="list-style-type: none"> <li>• Greater than 2500m<sup>3</sup> earthworks: Restricted Discretionary<sup>27</sup></li> <li>• Land disturbance greater than 5m<sup>3</sup> within a Significant Ecological Coastal Area: Restricted Discretionary<sup>28</sup></li> <li>• Earthworks greater than 250m<sup>3</sup> within an Outstanding Natural Feature, High Natural Character, Outstanding Natural Landscape: Restricted Discretionary<sup>29</sup></li> <li>• Land disturbance greater than 50,000mD where land has a slope less than 10 degrees outside the Sediment Control Protection Area: Restricted Discretionary<sup>30</sup></li> </ul>
<b>Vegetation Removal</b>	<ul style="list-style-type: none"> <li>• Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>31</sup></li> <li>• Vegetation alteration or removal, including cumulative removal on a site over a 10-year period, of greater than 250m<sup>2</sup> of indigenous vegetation that:(a) is contiguous vegetation on a site or sites existing on 30 September 2013; and(b) is outside the rural urban boundary; Restricted discretionary<sup>32</sup></li> <li>• Vegetation alteration or removal of greater than 25m<sup>2</sup> of contiguous vegetation, or tree alteration or tree removal of any indigenous tree over 3m in height, within 20-50m of mean high water springs: Restricted Discretionary<sup>33</sup></li> <li>• Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>34</sup></li> </ul>
<b>Buildings and Structures</b>	<ul style="list-style-type: none"> <li>• Buildings and Structures within Outstanding Natural Landscape and High Natural Character: Discretionary<sup>35</sup></li> <li>• Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>36</sup></li> </ul>
<b>Lighting and Noise</b>	<ul style="list-style-type: none"> <li>• Activities that do not comply with the permitted lighting standards: Restricted Discretionary<sup>37</sup></li> <li>• Activities that do not comply with the relevant permitted noise standards: Restricted Discretionary<sup>38</sup></li> </ul>

<sup>27</sup> Auckland Unitary Plan, Rule E12.4.1(A10)

<sup>28</sup> Auckland Unitary Plan, Rule E11.4.3 (A30)

<sup>29</sup> Auckland Unitary Plan, Rule E12.4.2 (A33)

<sup>30</sup> Auckland Unitary Plan, Rule E11.4.1 (A5)

<sup>31</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>32</sup> Auckland Unitary Plan Rule E15.4.1 (A10)

<sup>33</sup> Auckland Unitary Plan Rule E15.4.1 (A20-21))

<sup>34</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>35</sup> Auckland Unitary Plan, Rule D 10.4.2 (A1)

<sup>36</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>37</sup> Auckland Unitary Plan, Rule E24.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.

<sup>38</sup> Auckland Unitary Plan, Rule E25.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.

## **Appendix G**

### Waimango Point Planning Summary

## Option: Firth of Thames – Waimango Point

### Approximate Location of Waimango Point



#### Description

The Waimango Point site is located approximately 10 km southeast of Kawakawa Bay within the Firth of Thames. Development at this site would likely comprise:

- The establishment of a new reclaimed island offshore from Waimango Point. The proposed island port would also occupy a footprint of approximately 250 hectares;
- Construction of two new bridges to provide access to and from the port;
- Dredging activities would be required; and,
- The development of new or the extension of existing transportation links between the bridges and the existing transportation networks.

#### Information Source

Auckland Unitary Plan

Sea Change – Spatial Plan for the Hauraki Gulf

#### Statutory Acknowledgement Area

Within Treaty Settlement Statutory Acknowledgement Area, relating to Ngai Tai ki Tamaki

Other iwi with interests in the Firth of Thames are:

- Ngāti Whānaunga
- Ngāti Rahiri Timutimu
- Ngāti Pukenga ki Waiau
- Ngāti Hako

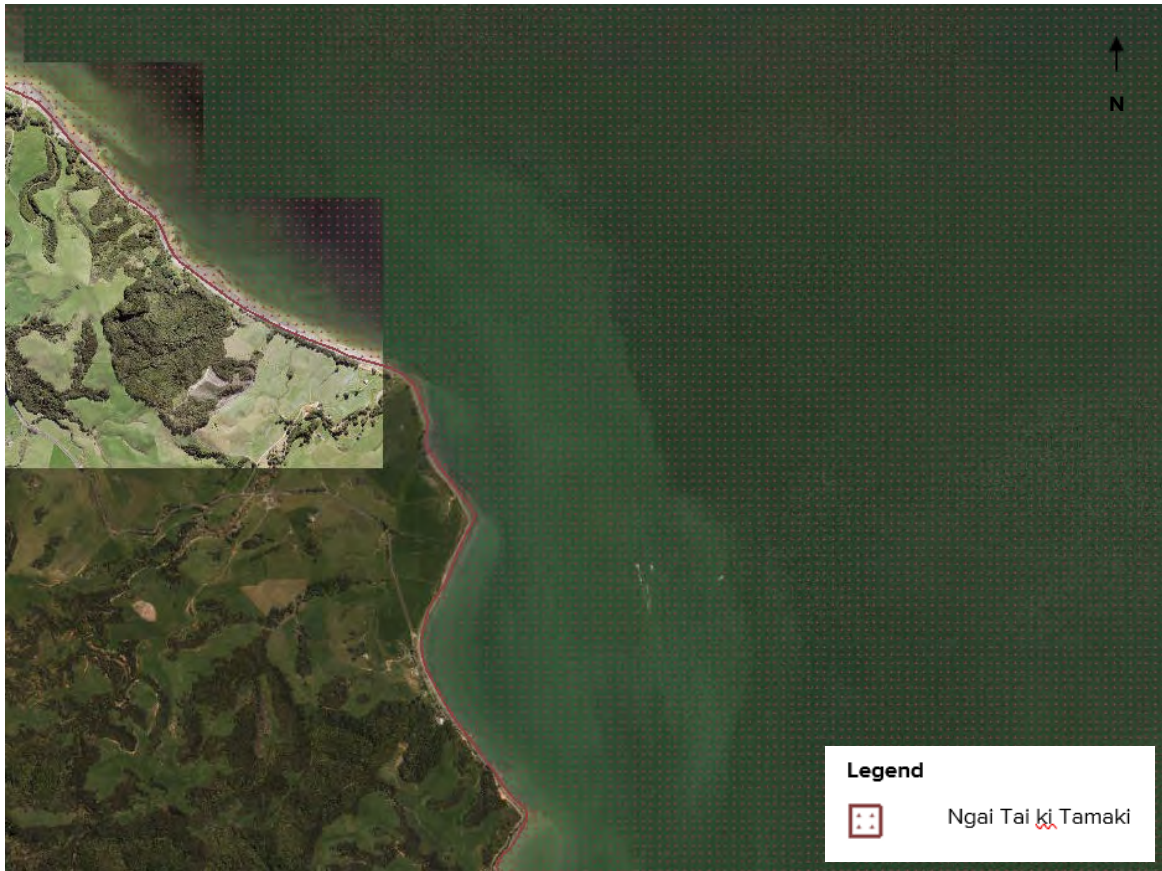


	<ul style="list-style-type: none"> <li>• Ngai Tai Ki Tamaki</li> <li>• Ngāti Tamatera</li> <li>• Ngāti Paoa; and Ngāti Maru</li> </ul>
<b>Zones</b>	<ul style="list-style-type: none"> <li>• Coastal – Coastal Transition Zone</li> <li>• Coastal - General Coastal Marine Zone</li> <li>• Open Space – Informal Recreation Zone</li> <li>• Rural - Rural Coastal Zone, Tamaki-Firth Coastal Area</li> <li>• Rural – Countryside Living Zone</li> <li>• Residential – Rural and Coastal Settlement Zone on the western side of East Coast Rd</li> <li>• Business Neighbourhood Zone on western side of East Coast Road</li> <li>• Road Reserve</li> </ul>
<b>Surrounding Zones</b>	<ul style="list-style-type: none"> <li>• Rural – Rural Production Zone</li> <li>• Rural – Rural Coastal Zone</li> <li>• Open Space – Conservation Zone</li> </ul>
<b>Overlays<sup>1</sup></b>	<ul style="list-style-type: none"> <li>• Located within Significant Ecological Area Marine 1, 2 and Terrestrial.</li> <li>• Located within the Outstanding Natural Landscape associated within Orere Point.</li> <li>• Located within the Outstanding Natural Features located with Tapapakanga Stream Terraces (at northern extent of identified site).</li> <li>• Located within the Outstanding Natural Landscapes associated with the Hunua Ranges.</li> <li>• Located within the High Natural Character associated with Tapapakanga Regional Park and Matingarahi Point</li> <li>• Located within a site Site and Place of Significance to Mana Whenua (Urupa).</li> <li>• Located within the Macroinvertebrate Community Index.</li> <li>• Landward area is partially located within the Matingarahi sub-precinct A, with surrounding areas in the Mataingarahi sub-precinct B, C, D and E</li> <li>• Located within the identified Coastal Inundation 1 per cent AEP Plus 1m Control – 1m sea level rise overlay.</li> </ul>
<b>Overall likely activity status for a resource consent (CMA only)</b>	<ul style="list-style-type: none"> <li>• Non-complying</li> </ul>

<sup>1</sup> For the purposes of this evaluation, this section includes all Precincts, Overlays and Controls as shown on the Auckland Unitary Planning Maps.

## Option: Firth of Thames – Waimango Point

### Treaty Settlement – Statutory Acknowledgement Area



#### Treaty Settlement Area

Within the following Treaty Settlement Statutory Acknowledgement Area:

- Ngai Tai ki Tamaki

Other iwi with interests in the Firth of Thames are:

- Ngāti Whānaunga
- Ngāti Rahiri Timutimu
- Ngāti Pukenga ki Waiau
- Ngāti Hako
- Ngai Tai Ki Tamaki
- Ngāti Tamatera
- Ngāti Paoa; and Ngāti Maru

## Option: Manukau Harbour – Waimango Point

### Zones



<b>General Coastal Marine Zone</b>	The purpose of the Coastal – General Coastal Marine Zone is to provide for use and development in the coastal marine area, in particular those forms of use and development that have a functional or operational need to be undertaken or located in the coastal marine area,
<b>Open Space - Informal Recreation Zone</b>	The Open Space – Informal Recreation Zone applies to open spaces that range in size from small local parks to large regional parks. These areas are used for a variety of outdoor informal recreation activities and community uses, such as walking, running, cycling, relaxing and socialising, picnics, playing and enjoying the environment.
<b>Rural – Rural Coastal Zone</b>	The purpose of the Rural –Rural Coastal Zone is to retain and enhance the rural character and amenity values, local coastal character and biodiversity values of rural areas along Auckland’s harbours, estuaries and coastline. It is also to enable rural production activities, local non-residential activities, maintain recreational opportunities and manage the effects of existing scattered rural lifestyle development. The zone also provides opportunities to access the coastal marine area and support marine-related activities.
<b>Rural – Countryside Living Zone</b>	This zone provides for rural lifestyle living in identified areas of rural land which are generally closer to urban Auckland or rural and coastal towns. There is a diversity of topography, land quality and landscape character within the zone which results in a diversity of site sizes. The zone is the receiver area for transferable rural site subdivision from other zones.
<b>Residential – Rural and Coastal Settlement Zone</b>	The Residential – Rural and Coastal Settlement Zone applies to rural and coastal settlements in a variety of environments including high-quality landscape areas and coastal areas. Some settlements rely on on-site wastewater disposal and treatment and water supply, while others are serviced relying on reticulated community wastewater facilities and water supply. Due to factors including servicing, infrastructure and accessibility constraints and, in some cases their sensitive character, growth needs to be managed accordingly.

---

<b>Business Neighbourhood Zone</b>	The Business –Neighbourhood Centre Zone applies to single corner stores or small shopping strips located in residential neighbourhoods. They provide residents and passers-by with frequent retail and commercial service needs
------------------------------------	---

---

Option: Firth of Thames – Waimango Point

Significant Ecological Areas Overlay



Significant Ecological Area

- Marine 1
- Marine 2
- Terrestrial

Schedule 3 Terrestrial Schedule Classifications

Significant Ecological Area –  
SEA\_T\_2878, Terrestrial (located  
in several locations along the  
coastline)  
(Factors 1, 2, 3, 4)

Significant Ecological Area –  
SEA\_T\_5588 Terrestrial  
(Factors 1, 2, 3, 4)

**Representativeness** (Factor 1)

Sub-factor:

It is an example of an indigenous ecosystem (including both mature and successional stages), that contributes to the inclusion of at least 10% of the natural extent<sup>1</sup> of each of Auckland’s original ecosystem types<sup>2</sup> in each ecological district of Auckland (starting with the largest, most natural and intact, most geographically spread) and reflecting the environmental gradients of the region, and is characteristic or typical of the natural ecosystem diversity of the ecological district and/or Auckland.

**Threat Status and Rarity** (Factor 2)

Sub-factors:

- (a) It is an indigenous habitat, community or ecosystem that occurs naturally in Auckland and has been assessed (using the IUCN threat classification system) to be threatened, based on evidence and expert

advice (including Holdaway et al. Status assessment of NZ naturally uncommon ecosystems).

- (b) It is a habitat that supports occurrences of a plant, animal or fungi that has been assessed by the Department of Conservation and determined to have a national conservation status of threatened or at risk;
  - (i) or it is assessed as having a regional threatened conservation status including Regionally Critical, Endangered and Vulnerable and Serious and Gradual Decline.
- (c) It is indigenous vegetation that occurs in Land Environments New Zealand Category IV where less than 20% remains.
- (d) It is any indigenous vegetation or habitat of indigenous fauna that occurs within an indigenous wetland or dune ecosystem.
- (e) It is a habitat that supports an occurrence of a plant, animal or fungi that is locally rare;
  - (i) or it has been assessed by the Department of Conservation and determined to have a national conservation status of Naturally Uncommon, Range Restricted or Relict.

#### **Diversity (Factor 3)**

Sub-factors:

- (a) It is any indigenous vegetation that extends across at least one environmental gradient resulting in a sequence that supports more than one indigenous habitat, community or ecosystem type e.g., an indigenous estuary to an indigenous freshwater wetland.
- (b) It supports the expected indigenous ecosystem diversity for the habitat(s).
- (c) It is an indigenous habitat type that supports a typical species richness or species assemblage for its type.

#### **Stepping Stones, Migration pathways and Buffers (Factor 4)**

Sub-factors:

- (a) It is an example of an indigenous ecosystem, or habitat of indigenous fauna that is used by any native species permanently or intermittently for an essential part of their life cycle (e.g. known to facilitate the movement of indigenous species across the landscape, haul-out site for marine mammals) and therefore makes an important contribution to the resilience and ecological integrity of surrounding areas.
- (b) It is an example of an ecosystem, indigenous vegetation or habitat of indigenous fauna, that is immediately adjacent to, and provides protection for, indigenous biodiversity in an existing protected natural area (established for the purposes of biodiversity protection); or
  - (i) it is an area identified as significant under the 'threat status and rarity' or 'uniqueness' factor. This includes areas of vegetation (that may be native or exotic) that buffer a known significant site. It does not include buffers to the buffers.
- (c) It is part of a network of sites that cumulatively provide important habitat for indigenous fauna or when aggregated make an important contribution to the provision of a particular ecosystem in the landscape.

- (d) It is a site which makes an important contribution to the resilience and ecological integrity of surrounding areas.

Significant Ecological Area – SEA_T_4310 Terrestrial (Factors 2, 3, 4)	<b>Threat Status and Rarity</b> (Factor 2), see above <b>Diversity</b> (Factor 3), see above <b>Stepping Stones, Migration pathways and Buffers</b> (Factor 4), see above
--	---

#### Schedule 4 Marine Schedule Classifications

Significant Ecological Area – SEA_M2_40a, Marine 2	<b>Kawakawa to Matingarahi</b> <p>The section of coast from Raukura Point to Orere Point is one of the richest areas in the region for rocky shore and sandy beach flora and fauna. In some places, the marine ecosystem grades into areas of natural coastal vegetation, some of which is considered to be amongst the best in the Hunua ecological district (40a) and at Papanui Point (40h) there are a number of threatened plant species within this vegetation. A thin strip of pohutukawa forest occurs along the cliff top between Tapapakanga and Orere. Contains one of the best areas of pohutukawa forest on coastal sediments.</p>
Marine Ecology	<p>The benthos is predominantly fine silty mud, and main benthic communities are dominated by polychaete worms, amphidods and occasional bivalves. Green lipped mussels are were historically abundant along this stretch of coastline.</p>



## Option: Firth of Thames – Waimango Point

### Outstanding Natural Features, Landscapes and High Natural Character Areas



### Schedule 6 Outstanding Natural Feature Overlay Schedule

#### Outstanding Natural Features - ID 204, Tapapakanga Stream Terraces (at northern extent of identified site)

#### Tāpapakanga Stream terraces

The lower reaches of the Tāpapakanga Stream valley contain excellent examples of terraces cut into alluvial gravel and sediment. Well-developed alluvial stream terraces are rare in the Auckland region.

Location: Orere Point  
 Site Type: A (Large Landforms)  
 Criteria: a, b, e, g, h, l

### Schedule 7 Outstanding Natural Landscapes Overlay Schedule

#### Outstanding Natural Landscapes - Area 62, Hunua Ranges

#### Hill country Cultured nature/wild nature (hill country)

Second major hill range flanking Auckland's metropolitan area: dominated by native forest and water catchments focusing upon lake reservoirs and strong connection with the margins of the Firth of Thames. Combines relatively high relief with significant areas of native forest & maturing vegetation; only low levels of built modification (houses).

Interplay of intact mature indigenous forest and forest remnants with pasture reinforcing topography. Strong engagement between the hill country and native



forests with the waters of the Firth of Thames. Awareness of the Coromandel Peninsula containing the Firth's sea surface.

Coastal landforms - Strong elevated relief as part of wider hill sequence. Sequence of headlands and coves, and stony beaches framing the Firth of Thames.

Geological/Topographical - Extensive areas of native forest, native shrubland and stream corridors.

Dynamic - Interaction of the waters of the Firth of Thames with the rocky coastline at the eastern end of the Hunua Ranges.

Memorability - Very marked naturalness values and strong interplay of underlying topography with areas of bush and more peripheral pockets of pasture. Very pronounced interaction between the Firth of Thames and the hill country margins that enclose and engage with it. Clearly visible Coromandel Peninsula across

Naturalness - Strong sense of naturalness evident in the forest and shrubland areas, together with the terrain. Largely natural sea area, although existing marine farming is clearly visible within the Firth of Thames near Matingarahi Point.

Expressiveness - Very apparent greywacke hill landform overlain with scrub/forest/stream corridor sequence. Dramatic interaction of hillcountry with the Firth of Thames, and enclosure of that sea body by both the Hunua and Coromandel Ranges.

Transitory - Native birdlife. Including sea birds along the Firth coastline. Tidal variations and weather conditions altering the state of the Firth of Thames water area.

Location: Franklin (Part in Manukau area)

Factors/Values High and Very High

---

**Outstanding Natural  
Landscapes - Area 63,  
Orere Point, Waimango**

**Harbour & estuary Wild nature (coastal)**

Strongly defined, cliffed, coastal landscape that is backed by significant areas of tall, predominantly native, vegetation, which interacts very strongly with the Firth of Thames. Some low density, subservient housing at Orere Point.

Coastal landforms - Interplay of indigenous forest remnants and pasture, reinforcing topography. Strong engagement between the headlands and native

---

forest remnants with the waters of the Firth of Thames. Awareness of The Coromandel Peninsula Containing the Firth's sea surface.

Geological/Topographical - Sequence of gently shelving beaches with shelves with cliff faces leading into ridges pronounced.

Dynamic - Dramatic interaction with the waters of the Firth of Thames, especially within Tapapakanga Regional Park and the engagement of its series of cliffed headlands with the Firth of Thames.

Memorability - Archetypal east coast coastline with series of bays and headlands and cliffs backed by stream corridors and bush remnants.

Naturalness - Series of tracts of native bush and remnant forest extending down to the edge of the Firth; Relatively undeveloped beachfronts and cliff-line.

Expressiveness - Combination of elevated coastal edge/ topography and remnant bush patterns (pōhutukawa) creating a clear landscape structure along the Firth of Thames coastline.

Transient Values - Sea birds along the Firth coastline. Tidal Variations and weather conditions altering the state of the Firth of Thames water area.

Factors/Values: High

#### Schedule 8 High Natural Character Overlay Schedule

---

**High Natural Character -  
Area 162, Tapapakanga  
Regional Park**

**Tapapakanga Regional Park, Orere Point**

A series of coastal cliffs and escarpments that back the gently meandering coastline to the south Orere Point. The majority of the hinterland has been cleared for pasture, however this sits behind the dramatic series of cliffs and escarpments that are extensively vegetated in remnant coastal pohutukawa, regenerating coastal forest and exposed scree slopes. As such the pasture lands do not intrude into the coastal edge and the integrity of the natural land cover and amalgam of mature pohutukawa, exposed coastal escarpments, cliffs and rocky shoals imbue the coastal edge with an endemic character.

---

**High Natural Character -  
Area 163, Matingarahi  
Point**

**Matingarahi Point, Firth of Thames**

A series of bays, rolling hill country, ridges and headland to the south of the coastal settlement of Matingarahi. The coastal margins and rolling hinterland landforms are extensively vegetated in remnant and regenerating native forest and although the hinterland vegetation has been partly cleared behind Matingarahi Point, this does not undermine the integrity of the underlying landforms or the perceived intactness and cohesion of the coastline as a whole. The vegetation patterns emphasis the underlying landforms and their engagement with the sheltered waters of the Firth of Thames, combined with the lack of development, imbues the coastal environment with a sense of wilderness and wildness.

---

## Option: Firth of Thames – Waimango Point

### Sites and Places of Significance to Mana Whenua



### Schedule 12 Sites and Places of Significance to Mana Whenua Schedule

Urupā	Description:	Urupā
-------	--------------	-------

## Option: Firth of Thames – Waimango Point

### Macroinvertebrate Community Index



#### Index

The landward areas of the site are overlaid of three identified macroinvertebrate community indices, including Exotic, Native and Rural.

These indices are used to inform water quality and integrated management responses on land.

These overlays only apply to those activities within the landward area of the wider Puhinui site.

Precincts



**Matingarahi Precinct**

The Matingarahi precinct identifies areas for a new village at Matingarahi, identifying a village layout, while protecting and enhancing vegetation and other features at the time of subdivision



**Option: Firth of Thames – Waimango Point**

**Coastal Inundation**

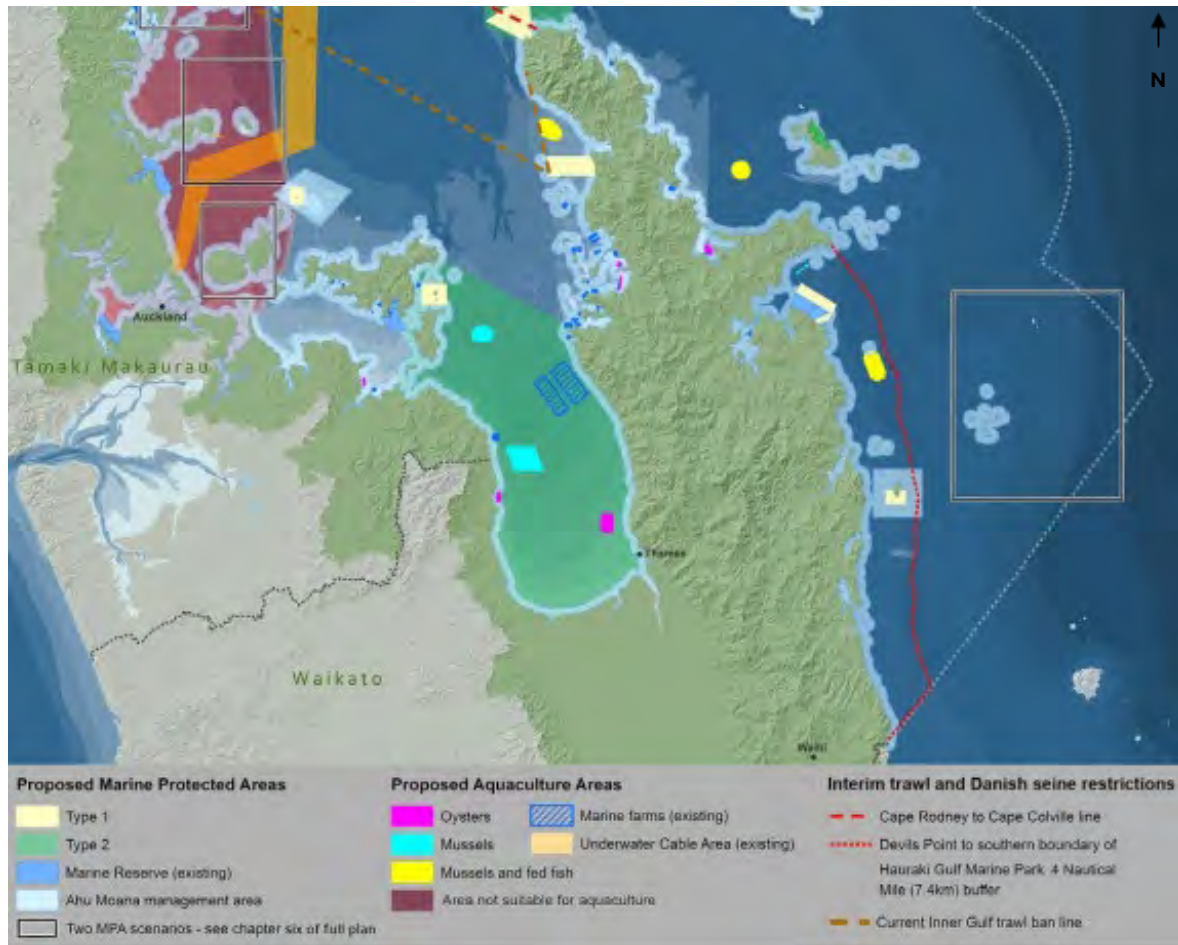


**Coastal Inundation 1 per cent AEP Plus 1m**

Specific provisions relating to the management of natural hazards apply to areas located within the Coastal Inundation 1% AEP plus 1m mapped area of the site.

## Option: Firth of Thames – Waimango Point

### Hauraki Gulf Spatial Plan



#### Information Source

Sea Change – Hauraki Gulf Marine Spatial Plan, April 2017

#### Hauraki Spatial Plan

Map showing proposed marine protected areas, existing and proposed aquaculture areas and benthic fishing restrictions.

#### Proposed Marine Protected Area –

**Type 2** - protection of Firth of Thames benthic environments to support regeneration efforts of historic mussel beds in the area. Excludes all benthic impacting fishing methods.

As a whole and within the New Zealand context, the large Firth of Thames embayment and the extensive mussel beds once found in the area would have been quite unique. A near collapse of all hard, biogenic reefs composed of green-lipped mussels, sponges, ascidians and cnidarians brought on by heavy dredging was observed by the 1960s. There are ongoing water quality issues.

The Firth of Thames is considered important for juvenile snapper and spotted dogfish (rig), and is a nationally important nursery area for smooth hammerhead shark.

The southern end of the Firth is of international significance for migratory birds.

**Option: Firth of Thames – Waimango Point**

**Marine Farms**



---

<b>Information Source</b>	Sea Change Hauraki Gulf Marine Spatial Plan
---------------------------	---

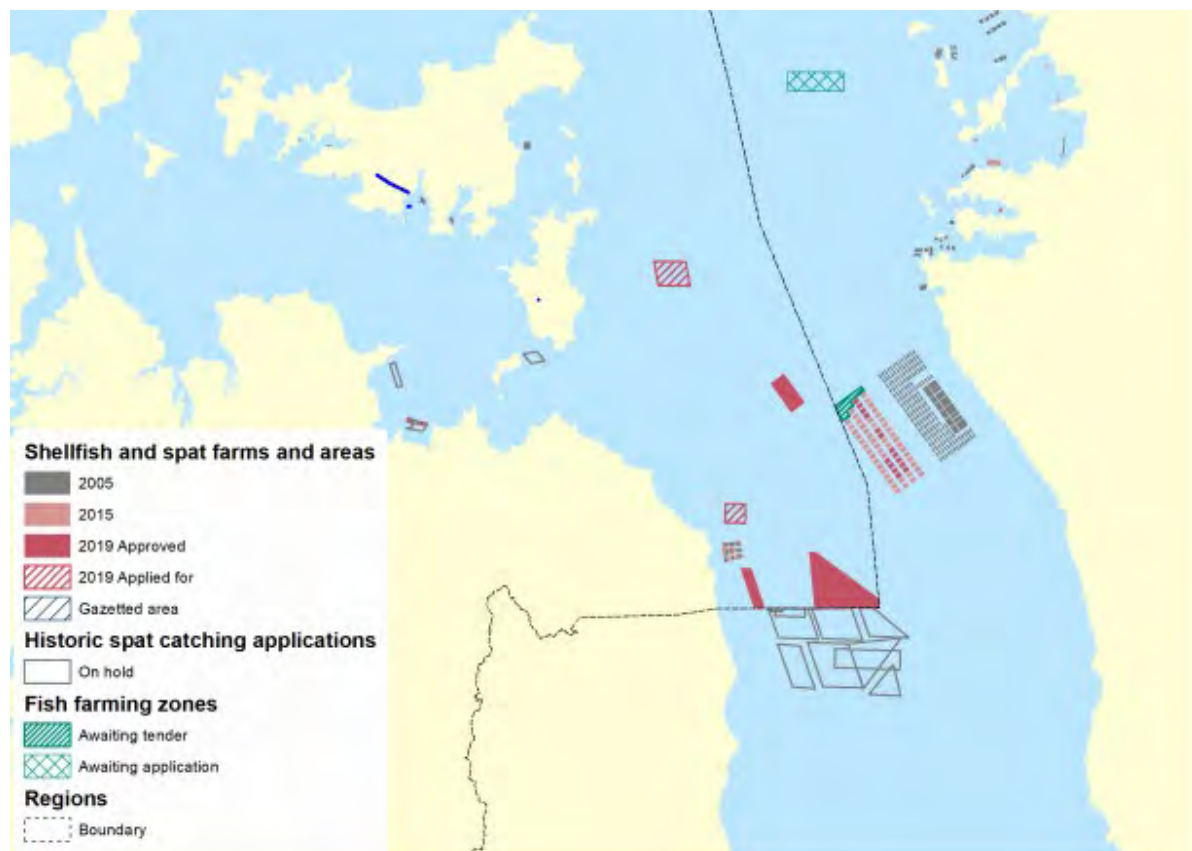
---

<b>Sea Change Hauraki Gulf Marine Spatial Plan</b>	Map showing existing 55 hectare marine farm at Waimango Point.
--	--

---



## Marine Farms continued



Information Source

The State of the Gulf 2020

**Option: Firth of Thames: Waimango Point****High Level Consent requirements<sup>2</sup>****Overall likely activity status**

- Non-complying

**Reclamation**

- Reclamation where it is necessary for the safe and efficient operation or construction of infrastructure:<sup>3</sup>
  - Within the General Coastal Marine Zone: Discretionary
  - Within Significant Ecological Areas Marine 1 and 2, Outstanding Natural Features: Non-complying

**Depositing and disposal of material**

- Deposition of material in the CMA not otherwise provided for in the rules:<sup>4</sup>
  - Within the General Coastal Marine Zone: Discretionary
  - Within Significant Ecological Areas Marine 1 and 2, Outstanding Natural Features, Outstanding Natural Landscapes, High Natural Character: Non-complying
- Disposal of waste or other matter in the coastal marine area, limited to dredged material, vessels, platforms or other structures: Discretionary<sup>5</sup>

**Dredging**

- Maintenance dredging<sup>6</sup>
  - Within the General Coastal Marine Zone: Restricted Discretionary
  - Within Significant Ecological Areas Marine 2, High Natural Character and Outstanding Natural Landscapes: Discretionary
  - Within Significant Ecological Areas Marine 1 and Outstanding Natural Features: Non-complying
- Capital works dredging<sup>7</sup>
  - Within the General Coastal Marine Zone Significant Ecological Area Marine 2, Outstanding Natural Landscape and High Natural Character: Discretionary
  - Within Significant Ecological Areas Marine 1 and Outstanding Natural Features: Non-complying

**CMA Disturbance**

- CMA disturbance related to engineering investigations<sup>8</sup>
  - Within the General Coastal Marine Zone, Significant Ecological Area Marine 2 and High Natural Character areas: Permitted
  - Within Significant Ecological Areas Marine 1, Outstanding Natural Landscapes and Outstanding Natural Features: Discretionary
- CMA disturbance associated with movement of greater than 10,000m<sup>3</sup> of sediment per year within the same coastal cell, where it is required for the safe and efficient operation or construction of significant infrastructure<sup>9</sup>
  - Within the General Coastal Marine Zone, Significant Ecological Areas Marine 2 and High Natural Character areas: Discretionary

<sup>2</sup> This list is not intended to be a complete list of all consents required under the AUP. Instead it identifies the key likely and potential resource consents required under Sections D to F of the AUP. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

<sup>3</sup> Auckland Unitary Plan, Rule F2.19.1 (A4)

<sup>4</sup> Auckland Unitary Plan, Rule F2.19.2 (A10)

<sup>5</sup> Auckland Unitary Plan, Rule F2.19.2 (A12)

<sup>6</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>7</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>8</sup> Auckland Unitary Plan, Rule F2.19.3 (A25)

<sup>9</sup> Auckland Unitary Plan, Rule F2.19.3 (A25)

	<ul style="list-style-type: none"> <li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Features and Outstanding Natural Landscapes: Non-complying</li> <li>• Native vegetation alteration or removal, not otherwise provided for<sup>10</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Restricted Discretionary</li> <li>• Within the Significant Ecological Areas Marine 2 and High Natural Character: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Features and Outstanding Natural Feature: Non-complying</li> </ul> </li> <li>• Mangrove removal to enable the operation, maintenance and use and functioning of infrastructure: <sup>11</sup> <ul style="list-style-type: none"> <li>• Greater than 200m<sup>2</sup> in the General Coastal Marine Zone, Significant Ecological Area Marine 2, Outstanding Natural Landscape and High Natural Character areas: Discretionary</li> <li>• Greater than 30m<sup>2</sup> in Significant Ecological Areas Marine 1 and Outstanding Natural Features: D</li> </ul> </li> </ul>
<b>Discharges</b>	<ul style="list-style-type: none"> <li>• All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for ((assumes impervious surface area will be greater than 5000m<sup>2</sup>): Discretionary<sup>12</sup></li> <li>• Development of a new or redevelopment of existing impervious areas other than for road, motorway or state highway purposes: Restricted Discretionary or Discretionary<sup>13</sup></li> <li>• Discharges into coastal water not otherwise provided for in the Plan: <sup>14</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Outstanding Natural Landscape, Significant Ecological Areas Marine 2 and High Natural Character and Outstanding Natural Feature: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1: Non-complying</li> </ul> </li> </ul>
<b>Use and Activities (within the CMA)</b>	<ul style="list-style-type: none"> <li>• Occupation of the common marine and coastal marine area: Discretionary<sup>15</sup></li> <li>• Maintenance and servicing of vessels: <sup>16</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Permitted</li> <li>• Within the Significant Ecological Areas Marine 2 and High Natural Character area: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Landscape and Outstanding Natural Features: Non-complying</li> </ul> </li> <li>• Parking on CMA structures other than as provided for as permitted activity: Discretionary<sup>17</sup></li> <li>• Vehicle use of the foreshore and seabed, not otherwise provided for:<sup>18</sup></li> </ul>

<sup>10</sup> Auckland Unitary Plan, Rule F2.19.3 (A42)

<sup>11</sup> Auckland Unitary Plan, Rule F2.19.3 (A48)

<sup>12</sup> Auckland Unitary Plan, Rule E8.4.1(A10)

<sup>13</sup> Auckland Unitary Plan, Rule E10.4.1(A3) or (A4)

<sup>14</sup> Auckland Unitary Plan, Rule F2.19.7(A70)

<sup>15</sup> Auckland Unitary Plan, Rule F2.19.8 (A84)

<sup>16</sup> Auckland Unitary Plan, Rule F2.19.8 (A89)

<sup>17</sup> Auckland Unitary Plan, Rule F2.19.8 (A94)

<sup>18</sup> Auckland Unitary Plan, Rule F2.19.8 (A96)

	<ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Areas Marine 2, Outstanding Natural Landscape and High Natural Character: Permitted</li> <li>• Within Significant Ecological Areas Marine 1 and Outstanding Natural Features: Non-complying</li> <li>• Underwater blasting, impact and vibratory piling, marine seismic surveys: Restricted Discretionary Activity<sup>19</sup></li> </ul>
<b>Structures</b>	<ul style="list-style-type: none"> <li>• CMA Structures and buildings not provided for elsewhere in the plan:<sup>20</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1 and 2, High Natural Character, Outstanding Natural Landscapes and Outstanding Natural Features: Non-complying</li> </ul> </li> <li>• Occupation associated with CMA structures within the General Coastal Marine Zone, Significant Ecological Areas Marine 1 and 2 and Outstanding Natural Features: Restricted Discretionary<sup>21</sup></li> <li>• Temporary Coastal Marine Structures: <sup>22</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Areas Marine 2 and High Natural Character areas: Permitted</li> <li>• Within Outstanding Natural Landscapes: Restricted Discretionary</li> <li>• Within Significant Ecological Areas Marine and Outstanding Natural Features: Discretionary</li> </ul> </li> <li>• Infrastructure CMA not otherwise provided for: Discretionary<sup>23</sup></li> <li>• Marine and port facilities and buildings not on an existing wharf of CMA structure: <sup>24</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Area Marine 2 and High Natural Character: Discretionary</li> <li>• Significant Ecological Areas Marine 1, Outstanding Natural Landscapes and Outstanding Natural Features: Non-complying</li> </ul> </li> <li>• Marine and port accessory structures and services not on an existing wharf of CMA structure: <sup>25</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Area Marine 2 and High Natural Character: Discretionary</li> <li>• Significant Ecological Areas Marine 1, Outstanding Natural Landscapes and Outstanding Natural Features: Non-complying</li> </ul> </li> </ul>
<b>Earthworks</b>	<ul style="list-style-type: none"> <li>• Greater than 2500m<sup>3</sup> earthworks: Restricted Discretionary<sup>26</sup></li> <li>• Land disturbance greater than 5m<sup>3</sup> within a Significant Ecological Coastal Area: Restricted Discretionary <sup>27</sup></li> <li>• Earthworks greater than 250m<sup>3</sup> <sup>28</sup></li> </ul>

<sup>19</sup> Auckland Unitary Plan, Rule F2.19.8 (114)

<sup>20</sup> Auckland Unitary Plan, Rule F2.19.10(A121)

<sup>21</sup> Auckland Unitary Plan, Rule F2.19.10(A127)

<sup>22</sup> Auckland Unitary Plan, Rule F2.19.10(A128)

<sup>23</sup> Auckland Unitary Plan, Rule F2.19.10(A133)

<sup>24</sup> Auckland Unitary Plan, Rule F2.19.10(A139)

<sup>25</sup> Auckland Unitary Plan, Rule F2.19.10(A140)

<sup>26</sup> Auckland Unitary Plan, Rule E12.4.1(A10)

<sup>27</sup> Auckland Unitary Plan, Rule E11.4.3 (A30)

<sup>28</sup> Auckland Unitary Plan, Rule E12.4.2 (A33)

	<ul style="list-style-type: none"> <li>• Within an Outstanding Natural Feature, High Natural Character, Outstanding Natural Landscape: Restricted Discretionary</li> <li>• Within a Site and Place of Significance to Mana Whenua: Discretionary</li> <li>• Land disturbance greater than 50,000mD where land has a slope less than 10 degrees outside the Sediment Control Protection Area: Restricted Discretionary<sup>29</sup></li> </ul>
<b>Vegetation Removal</b>	<ul style="list-style-type: none"> <li>• Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>30</sup></li> <li>• Vegetation alteration or removal, including cumulative removal on a site over a 10-year period, of greater than 250m<sup>2</sup> of indigenous vegetation that:(a) is contiguous vegetation on a site or sites existing on 30 September 2013; and(b) is outside the rural urban boundary; Restricted discretionary<sup>31</sup></li> <li>• Vegetation alteration or removal of greater than 25m<sup>2</sup> of contiguous vegetation, or tree alteration or tree removal of any indigenous tree over 3m in height, within 20-50m of mean high water springs: Restricted Discretionary<sup>32</sup></li> <li>• Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>33</sup></li> </ul>
<b>Buildings and Structures</b>	<ul style="list-style-type: none"> <li>• Buildings and Structures within Outstanding Natural Landscape and High Natural Character: Discretionary<sup>34</sup></li> <li>• Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>35</sup></li> <li>• Buildings and structures within Sites and Places of Significance to Mana Whenua: Discretionary<sup>36</sup></li> </ul>
<b>Lighting and Noise</b>	<ul style="list-style-type: none"> <li>• Activities that do not comply with the permitted lighting standards: Restricted Discretionary<sup>37</sup></li> <li>• Activities that do not comply with the relevant permitted noise standards: Restricted Discretionary<sup>38</sup></li> </ul>

<sup>29</sup> Auckland Unitary Plan, Rule E11.4.1 (A5)

<sup>30</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>31</sup> Auckland Unitary Plan Rule E15.4.1 (A10)

<sup>32</sup> Auckland Unitary Plan Rule E15.4.1 (A20-21))

<sup>33</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>34</sup> Auckland Unitary Plan, Rule D 10.4.2 (A1)

<sup>35</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>36</sup> Auckland Unitary Plan, Rule 21.4.1 (A5)

<sup>37</sup> Auckland Unitary Plan, Rule E24.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.

<sup>38</sup> Auckland Unitary Plan, Rule E25.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.

## **Appendix H**

### Central Manukau Planning Summary

## Option: Manukau Harbour – Central Manukau Harbour

### Approximate Location of Central Manukau Harbour Site



<b>Description</b>	<p>The Central Manukau Harbour site is located in the Manukau Harbour, on the Karore Bank. The establishment of a new port within Central Manukau Harbour is likely to include:</p> <ul style="list-style-type: none"> <li>• Establishment of a new reclaimed island in the central harbour, up to 250 hectares in area;</li> <li>• Dredging of the Pakakura Channel;</li> <li>• Construction of a 9 km long causeway to provide access between the port and the wider Auckland Area; and</li> <li>• The development of new transportation links between the causeway and existing the transportation network.</li> </ul>
<b>Information Source</b>	Auckland Unitary Plan
<b>Treaty Settlement Area</b>	<p>Within three Treaty Settlement Statutory Acknowledgement Areas, including those relating to Ngai Tai ki Tamaki, Ngāti Tamaoho, Te Kawerau a Maki.</p> <p>Other iwi with interests in the Manukau Harbour are</p> <ul style="list-style-type: none"> <li>• Ngāti Te Ata</li> <li>• Ngāti Paoa</li> <li>• Ngāti Maru</li> <li>• Te Akitai Waiohua</li> <li>• Ngāti Whatua o Orakei</li> <li>• Ngāti Tamatera and Tainui</li> </ul>
<b>Zones</b>	<ul style="list-style-type: none"> <li>• General Coastal Marine Zone.</li> </ul>
<b>Surrounding Land Use Zones</b>	<ul style="list-style-type: none"> <li>• Open Space - Conservation Zone</li> <li>• Rural - Rural Coastal Living Zone</li> </ul>

	<ul style="list-style-type: none"> <li>• Residential – Large Lot Zone</li> <li>• Future Urban Zone</li> </ul>
<b>Designations</b>	<ul style="list-style-type: none"> <li>• Designation 1102 Auckland Airport Obstacle Limitation</li> </ul>
<b>Overlays<sup>1</sup></b>	<ul style="list-style-type: none"> <li>• Partially within Significant Ecological Area Marine 2</li> <li>• Partially located within the Aircraft Noise Overlay</li> </ul>
<b>Overall likely activity status for a resource consent (CMA only)</b>	<ul style="list-style-type: none"> <li>• Non-complying</li> </ul>

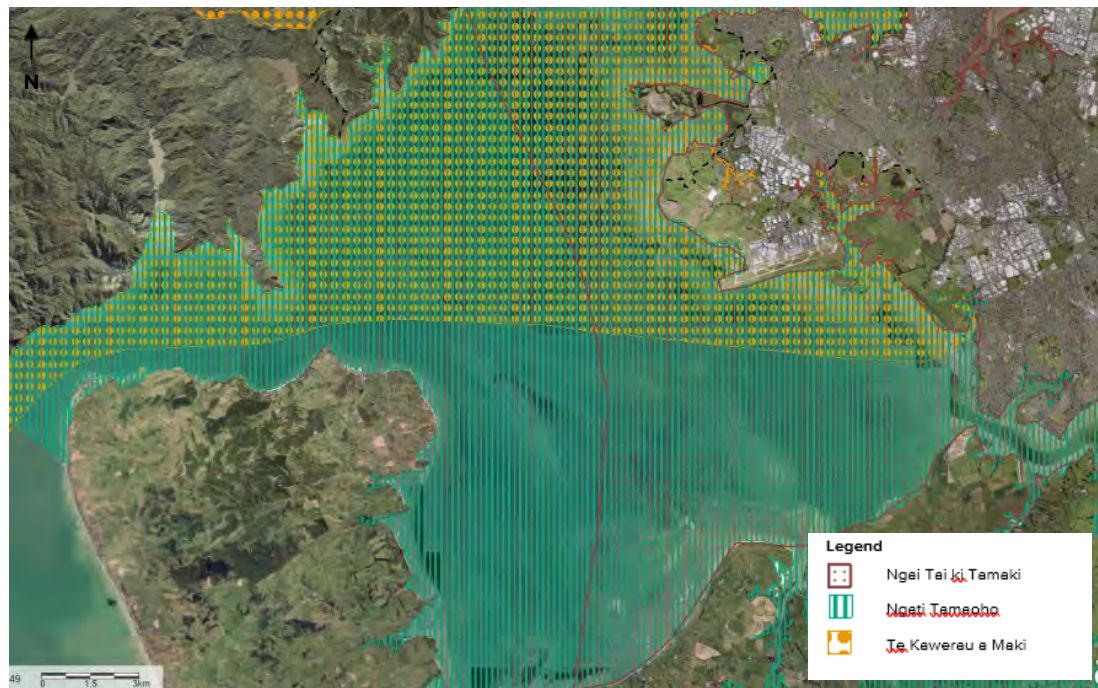
---

<sup>1</sup> For the purposes of this evaluation, this section includes all Precincts, Overlays and Controls as shown on the Auckland Unitary Planning Maps.



**Option: Manukau Harbour – Central Manukau Harbour**

**Treaty Settlement – Statutory Acknowledgement Area**



**Statutory  
Acknowledgement Areas**

Within the following Treaty Settlement Statutory Acknowledgement Areas:

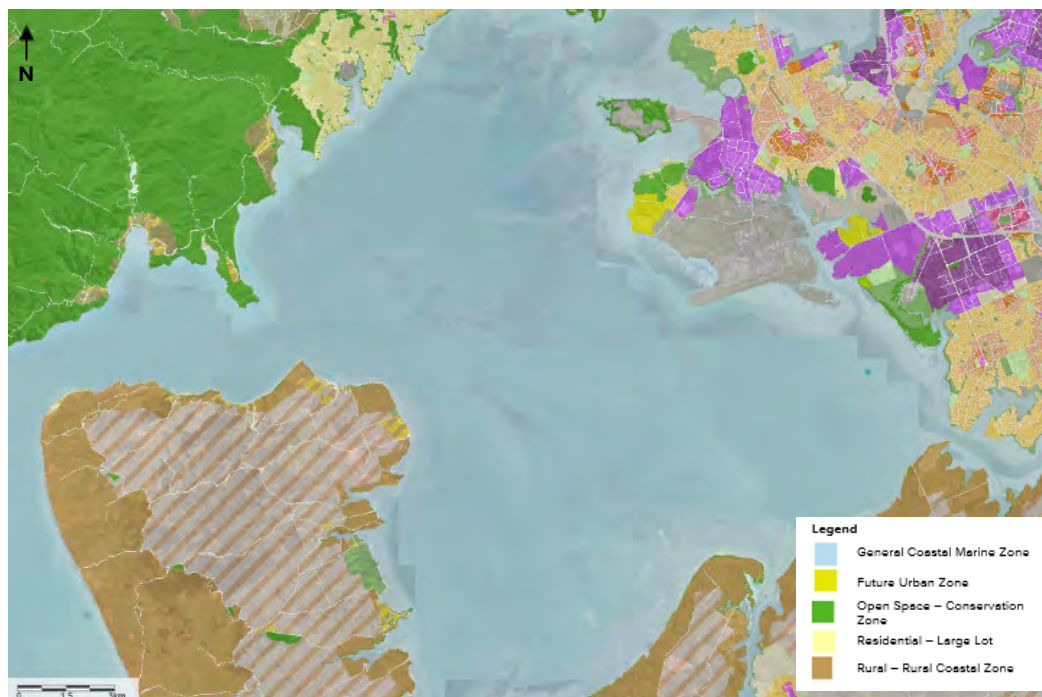
- Ngai Tai ki Tamaki
- Ngati Tamaoho
- Te Kawerau a Maki.

Other iwi with interests in the Manukau Harbour are

- Ngāti Te Ata
- Ngāti Paoa
- Ngāti Maru
- Te Akitai Waiohū
- Ngāti Whatua o Orakei
- Ngāti Tamatera and Tainui

## Option: Manukau Harbour – Central Manukau Harbour

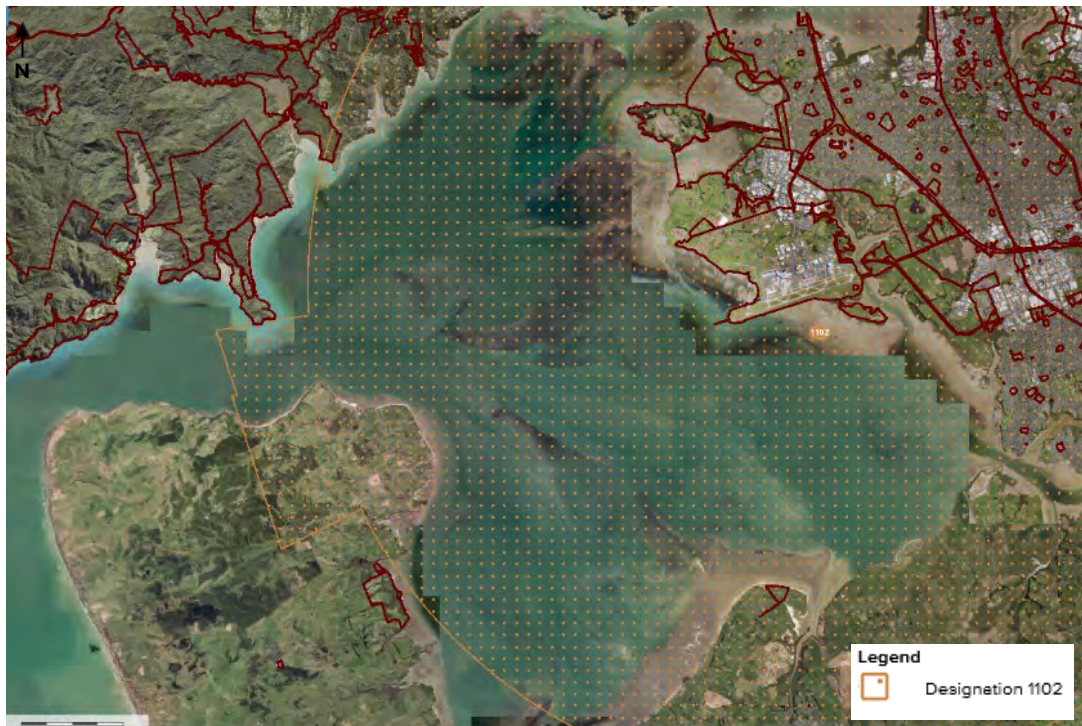
### Zones



<b>General Marine Zone</b>	The purpose of the Coastal – General Coastal Marine Zone is to provide for use and development in the coastal marine area, in particular those forms of use and development that have a functional or operational need to be undertaken or located in the coastal marine area,
<b>Open Space - Conservation Zone</b>	The Open Space – Conservation Zone applies to open spaces with natural, ecological, landscape, and cultural and historic heritage values. These areas include volcanic cones, bush reserves, headlands, natural wetlands and coastline and play an important role in protecting and increasing the populations of threatened and endangered species.
<b>Rural - Rural Coastal Living Zone</b>	The purpose of the Rural – Rural Coastal Zone is to retain and enhance the rural character and amenity values, local coastal character and biodiversity values of rural areas along Auckland’s harbours, estuaries and coastline. It is also to enable rural production activities, local non-residential activities, maintain recreational opportunities and manage the effects of existing scattered rural lifestyle development.
<b>Residential – Large Lot Zone</b>	The Residential – Large Lot Zone provides for large lot residential development on the periphery of urban areas.
<b>Future Urban Zone</b>	The Future Urban Zone is applied to greenfield land that has been identified as suitable for urbanisation. The Future Urban Zone is a transitional zone. Land may be used for a range of general rural activities but cannot be used for urban activities until the site is rezoned for urban purposes.

## Option: Manukau Harbour – Central Manukau Harbour

### Designations



---

**Designation 1102**  
**Auckland Airport**  
**Obstacle Limitation**

Obstacle Limitation Surface (OLS) of an aerodrome are defined surfaces in the airspace above and adjacent to the aerodrome. These OLS are necessary to enable aircraft to maintain a satisfactory level of safety while manoeuvring at low altitude in the vicinity of the aerodrome.

---



## Option: Manukau Harbour – Central Manukau Harbour

### Significant Ecological Area Overlay



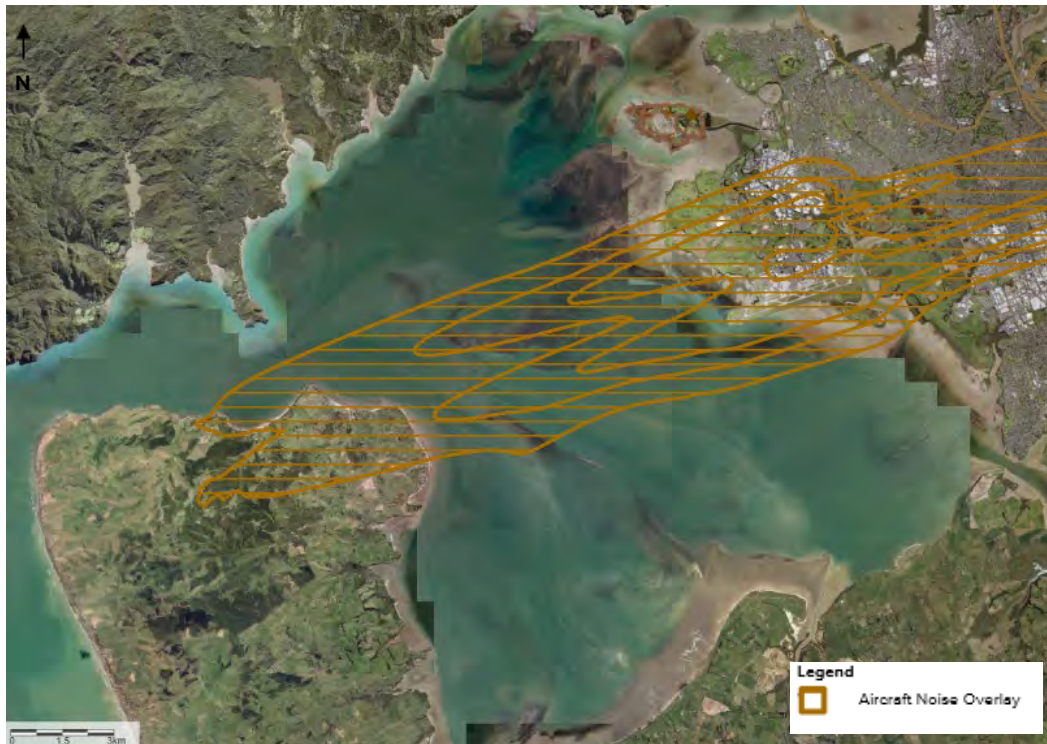
<b>Significant Ecological Area</b>	Marine 2
------------------------------------	----------

#### Schedule 4 Marine Schedule Classifications

<b>SEA-M2-182, Marine 2</b>	<b>Karore Bank West</b>	The Manukau Harbour has been identified as an Important Bird Area for its global significance for black-billed gull ('nationally critical'), NZ dotterel ('nationally vulnerable'), and for its congregations of wading birds which migrate from their South Island breeding sites, and for species migrating from the northern hemisphere. The Karore Bank West provides wading bird foraging habitat for wrybill ('nationally vulnerable'), South Island pied oystercatcher ( 'at risk – declining'), Eastern bar-tailed godwit ("at risk-declining") and red knot ('nationally vulnerable').
-----------------------------	-------------------------	---

## Option: Manukau Harbour – Central Manukau Harbour

### Infrastructure



---

#### **Aircraft Noise Overlay**

The purpose of the Aircraft Noise Overlay is to manage the subdivision of land and location of activities sensitive to aircraft noise in areas of high cumulative noise around the region's airports and airfields, so that the continued operation of the airports and airfields is not compromised and reverse sensitivity issues are addressed.

---

Option: Manukau Harbour – Central Manukau Harbour	
High Level Consent requirements <sup>2</sup>	
<b>Overall likely activity status</b>	<ul style="list-style-type: none"> <li>Non-complying</li> </ul>
<b>Reclamation</b>	<ul style="list-style-type: none"> <li>Reclamation where it is necessary for the safe and efficient operation or construction of infrastructure:<sup>3</sup> <ul style="list-style-type: none"> <li>Within the General Coastal Marine Zone: Discretionary</li> <li>Within Significant Ecological Areas Marine 2: Non-complying</li> </ul> </li> </ul>
<b>Depositing and disposal of material</b>	<ul style="list-style-type: none"> <li>Deposition of material in the CMA not otherwise provided for in the rules:<sup>4</sup> <ul style="list-style-type: none"> <li>Within the General Coastal Marine Zone: Discretionary</li> <li>Within Significant Ecological Areas Marine 2: Non-complying</li> </ul> </li> <li>Disposal of waste or other matter in the coastal marine area, limited to dredged material, vessels, platforms or other structures: Discretionary<sup>5</sup></li> </ul>
<b>Dredging</b>	<ul style="list-style-type: none"> <li>Maintenance dredging<sup>6</sup> <ul style="list-style-type: none"> <li>Within the General Coastal Marine Zone: Restricted Discretionary</li> <li>Within Significant Ecological Areas Marine 2: Discretionary</li> </ul> </li> <li>Capital works dredging within the General Coastal Marine Zone and Significant Ecological Area Marine 2: Discretionary<sup>7</sup></li> </ul>
<b>CMA Disturbance</b>	<ul style="list-style-type: none"> <li>CMA disturbance associated with movement of greater than 10,000m<sup>3</sup> of sediment per year within the same coastal cell, where it is required for the safe and efficient operation or construction of significant infrastructure within the General Coastal Marine Zone and Significant Ecological Areas Marine 2: Discretionary<sup>8</sup></li> <li>Native vegetation alteration or removal, not otherwise provided for<sup>9</sup> <ul style="list-style-type: none"> <li>Within the General Coastal Marine Zone: Restricted Discretionary</li> <li>Within the Significant Ecological Areas Marine 2: Discretionary</li> </ul> </li> <li>Mangrove removal to enable the operation, maintenance and use and functioning of infrastructure greater than 200m<sup>2</sup> in the General Coastal Marine Zone and Significant Ecological Area Marine 2: Discretionary<sup>10</sup></li> </ul>

<sup>2</sup> This list is not intended to be a complete list of all consents required under the AUP. Instead it identifies the key likely and potential resource consents required under Sections D to F of the AUP. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

<sup>3</sup> Auckland Unitary Plan, Rule F2.19.1 (A4)

<sup>4</sup> Auckland Unitary Plan, Rule F2.19.2 (A10)

<sup>5</sup> Auckland Unitary Plan, Rule F2.19.2 (A12)

<sup>6</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>7</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>8</sup> Auckland Unitary Plan, Rule F2.19.3 (A25)

<sup>9</sup> Auckland Unitary Plan, Rule F2.19.3 (A42)

<sup>10</sup> Auckland Unitary Plan, Rule F2.19.3 (A48)

<b>Discharges</b>	<ul style="list-style-type: none"> <li>• All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for ((assumes impervious surface area will be greater than 5000m<sup>2</sup>): Discretionary<sup>11</sup></li> <li>• Development of a new or redevelopment of existing impervious areas other than for road, motorway or state highway purposes: Restricted Discretionary or Discretionary<sup>12</sup></li> <li>• Discharges into coastal water not otherwise provided for in the Plan within the General Coastal Marine Zone and Significant Ecological Areas Marine 2: Discretionary<sup>13</sup></li> </ul>
<b>Use and Activities (within the CMA)</b>	<ul style="list-style-type: none"> <li>• Occupation of the common marine and coastal marine area: Discretionary<sup>14</sup></li> <li>• Maintenance and servicing of vessels: <sup>15</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Permitted</li> <li>• Within the Significant Ecological Areas Marine 2: Discretionary</li> </ul> </li> <li>• Parking on CMA structures other than as provided for as permitted activity: Discretionary<sup>16</sup></li> <li>• Underwater blasting, impact and vibratory piling, marine seismic surveys: Restricted Discretionary Activity<sup>17</sup></li> </ul>
<b>Structures</b>	<ul style="list-style-type: none"> <li>• CMA Structures and buildings not provided for elsewhere in the plan:<sup>18</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Discretionary</li> <li>• Within Significant Ecological Areas Marine: Non-complying</li> </ul> </li> <li>• Occupation associated with CMA structures within the General Coastal Marine Zone and Significant Ecological Areas Marine 2: Restricted Discretionary<sup>19</sup></li> <li>• Infrastructure CMA not otherwise provided for: Discretionary<sup>20</sup></li> <li>• Marine and port facilities and buildings not on an existing wharf of CMA structure within the General Coastal Marine Zone and Significant Ecological Area Marine 2: Discretionary <sup>21</sup></li> <li>• Marine and port accessory structures and services not on an existing wharf of CMA structure within the General Coastal Marine Zone and Significant Ecological Area Marine 2: Discretionary<sup>22</sup></li> </ul>
<b>Earthworks</b>	<ul style="list-style-type: none"> <li>• Greater than 2500m<sup>3</sup> earthworks: Restricted Discretionary<sup>23</sup></li> </ul>

<sup>11</sup> Auckland Unitary Plan, Rule E8.4.1(A10)  
<sup>12</sup> Auckland Unitary Plan Rule E10.4.1(A3) or (A4)  
<sup>13</sup> Auckland Unitary Plan, Rule F2.19.7(A70)  
<sup>14</sup> Auckland Unitary Plan, Rule F2.19.8 (A84)  
<sup>15</sup> Auckland Unitary Plan, Rule F2.19.8 (A89)  
<sup>16</sup> Auckland Unitary Plan, Rule F2.19.8 (A94)  
<sup>17</sup> Auckland Unitary Plan, Rule F2.19.8 (114)  
<sup>18</sup> Auckland Unitary Plan, Rule F2.19.10(A121)  
<sup>19</sup> Auckland Unitary Plan, Rule F2.19.10(A127)  
<sup>20</sup> Auckland Unitary Plan, Rule F2.19.10(A133)  
<sup>21</sup> Auckland Unitary Plan, Rule F2.19.10(A139)  
<sup>22</sup> Auckland Unitary Plan, Rule F2.19.10(A140)  
<sup>23</sup> Auckland Unitary Plan, Rule E12.4.1(A10)

	<ul style="list-style-type: none"> <li>Land disturbance greater than 5m<sup>3</sup> in a Significant Ecological Coastal Area: Restricted Discretionary<sup>24</sup></li> </ul>
<b>Vegetation Removal</b>	<ul style="list-style-type: none"> <li>Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>25</sup></li> <li>Vegetation alteration or removal, including cumulative removal on a site over a 10-year period, of greater than 250m<sup>2</sup> of indigenous vegetation that:(a) is contiguous vegetation on a site or sites existing on 30 September 2013; and(b) is outside the rural urban boundary; Restricted discretionary<sup>26</sup></li> <li>Vegetation alteration or removal of greater than 25m<sup>2</sup> of contiguous vegetation, or tree alteration or tree removal of any indigenous tree over 3m in height, within 20-50m <b>of mean high water springs</b>: Restricted Discretionary<sup>27</sup></li> <li>Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>28</sup></li> </ul>
<b>Lighting and Noise</b>	<ul style="list-style-type: none"> <li>Activities that do not comply with the permitted lighting standards: Restricted Discretionary<sup>29</sup></li> <li>Activities that do not comply with the relevant permitted noise standards: Restricted Discretionary<sup>30</sup></li> </ul>

<sup>24</sup> Auckland Unitary Plan, Rule E11.4.3 (A30)

<sup>25</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>26</sup> Auckland Unitary Plan Rule E15.4.1 (A10)

<sup>27</sup> Auckland Unitary Plan Rule E15.4.1 (A20-21))

<sup>28</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>29</sup> Auckland Unitary Plan, Rule E24.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.

<sup>30</sup> Auckland Unitary Plan, Rule E25.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.



## **Appendix I**

### Puhinui Planning Summary

## Option: Manukau Harbour - Puhinui

### Approximate Location of Puhinui Site

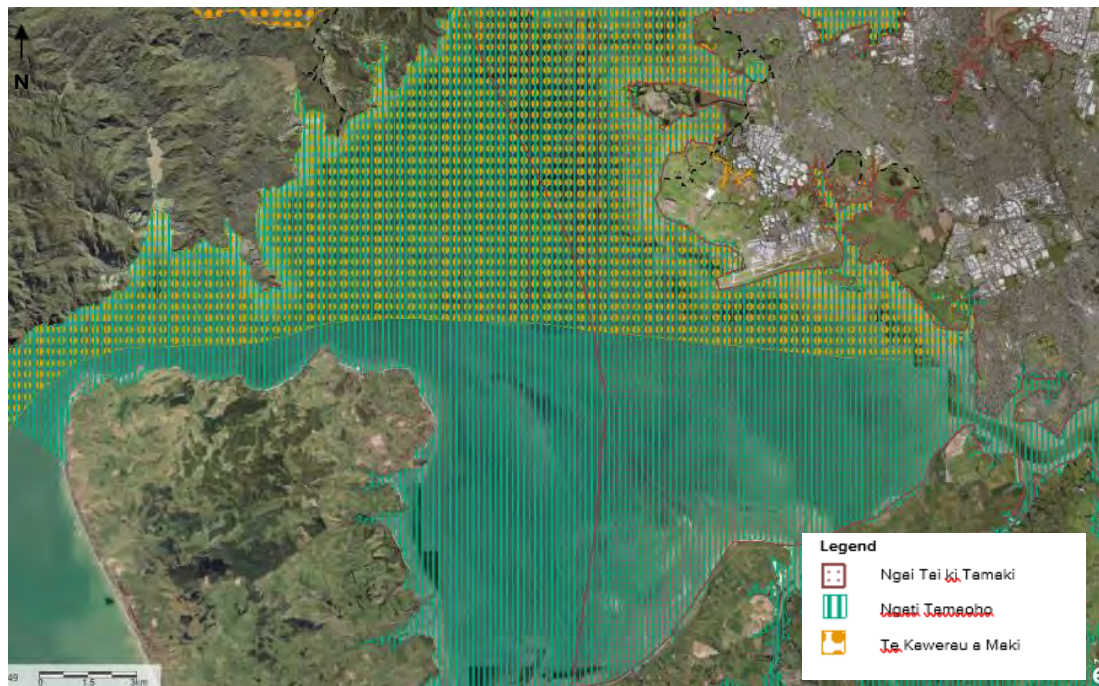


<b>Description</b>	<p>The Puhinui site is located within the Manukau Harbour and straddles the lower regions of the Papakura Channel, Waokauri Creek and Puhinui Creek. The establishment of a port at this site will likely include:</p> <ul style="list-style-type: none"> <li>• The establishment of a new reclaimed island, on the edges of Papakura Channel, Waokauri Creek and Puhinui Creek. The proposed island port would occupy a footprint of approximately 250 hectares;</li> <li>• Dredging activities to increase the depth of the channel. The poor natural depth of the harbour in this area means extensive capital and maintenance dredging will be required;</li> <li>• Construction of two new bridges to provide access to and from the port; and,</li> <li>• The extension of existing transportations links between the bridge and the wider transportation network.</li> </ul>
<b>Information Source</b>	Auckland Unitary Plan
<b>Treaty Settlement Area</b>	<p>Within three Treaty Settlement Statutory Acknowledgement Areas, including those relating to Ngai Tai ki Tamaki, Ngāti Tamaoho, Te Kawerau a Maki.</p> <p>Other iwi with interests in the Manukau Harbour are</p> <ul style="list-style-type: none"> <li>• Ngāti Te Ata</li> <li>• Ngāti Paoa</li> <li>• Ngāti Maru</li> <li>• Te Akitai Waiohua</li> <li>• Ngāti Whatua o Orakei</li> <li>• Ngāti Tamatera and Tainui</li> </ul>
<b>Zones</b>	<ul style="list-style-type: none"> <li>• Seaward area is located within the General Coastal Marine Zone</li> </ul>

	<ul style="list-style-type: none"> <li>The landward area is located within the following areas: <ul style="list-style-type: none"> <li>Open Space – Informal Recreation Zone</li> <li>Open Space – Conservation Zone</li> </ul> </li> </ul>
<b>Surrounding Zones</b>	<ul style="list-style-type: none"> <li>Business – Light Industry Zone</li> <li>Coastal – Minor Port Zone</li> <li>Mixed Housing Suburban</li> <li>Open Space – Community Zone</li> <li>Open Space – Conservation Zone</li> <li>Open Space – Informal Recreation Zone</li> <li>Open Space – Sport and Active Recreation Zone</li> <li>Special Purpose Zone (Airport)</li> <li>Special Purpose Zone (Quarry)</li> </ul>
<b>Designations</b>	<ul style="list-style-type: none"> <li>Designation 9529 Watercare Services Limited</li> <li>Designation 1102 Auckland Airport Obstacle Limitation</li> </ul>
<b>Overlays<sup>1</sup></b>	<ul style="list-style-type: none"> <li>Partially located within a Significant Ecological Area Marine 1, Marine 2 and Terrestrial.</li> <li>A Wetland Management Area is located along the coastal/landward interface.</li> <li>Three areas along the coastal interface are located within an Outstanding Natural Feature Overlay</li> <li>Part of landward area, along part of the Puhinui Creek, is located within a Site and Place of Significance to Mana Whenua Overlay</li> <li>Part of the landward area, along part of Puhinui Creek is located within a Historic Heritage Overlay Extent of Place</li> <li>Landward area is partially located within a High Use Stream Management Overlay.</li> <li>Landward area is within the High Use Aquifer Management Area Overlay.</li> <li>Landward area partially located within the Stormwater Management Area Control</li> <li>Landward area partially located in a Quality Sensitive Aquifer Management Area</li> <li>Foreshore areas located within the Macroinvertebrate Community Index</li> <li>Partially located within the Aircraft Noise Overlay</li> <li>Landward area is partially located within Auckland Airport Sub-Precinct Coastal, Auckland Airport Sub-Precinct Core, Motorsport Sub-Precinct Colin Dale Park and Puhinui Sub-Precincts A and B.</li> </ul>

<sup>1</sup> For the purposes of this evaluation, this section includes all Precincts, Overlays and Controls as shown on the Auckland Unitary Planning Maps.

	<ul style="list-style-type: none"> <li>• Partially located within Cable Protection Areas Control</li> <li>• Landward area partially located within the Coastal Inundation 1 percent AEP plus 1m Control</li> </ul>
<b>Overall likely activity status for a resource consent (CMA only)</b>	<ul style="list-style-type: none"> <li>• Non-complying</li> </ul>



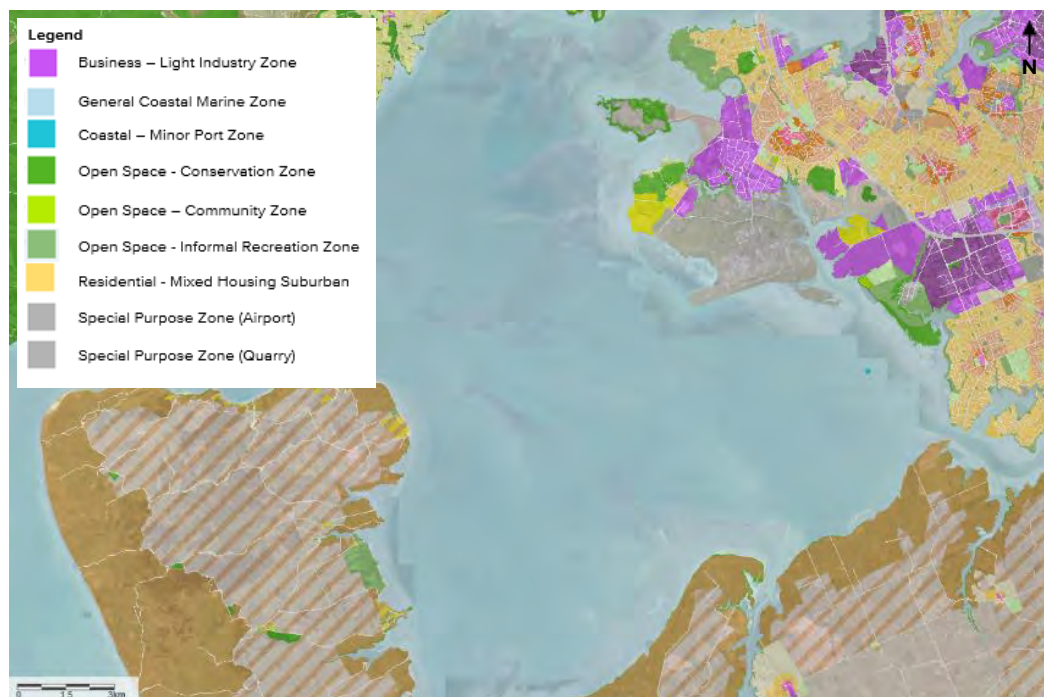
**Treaty Settlement Area**

Within the following Treaty Settlement Statutory Acknowledgement Areas:

- Ngai Tai ki Tamaki
- Ngati Tamaoho
- Te Kawerau a Maki.

## Option: Manukau Harbour – Puhinui

### Zones



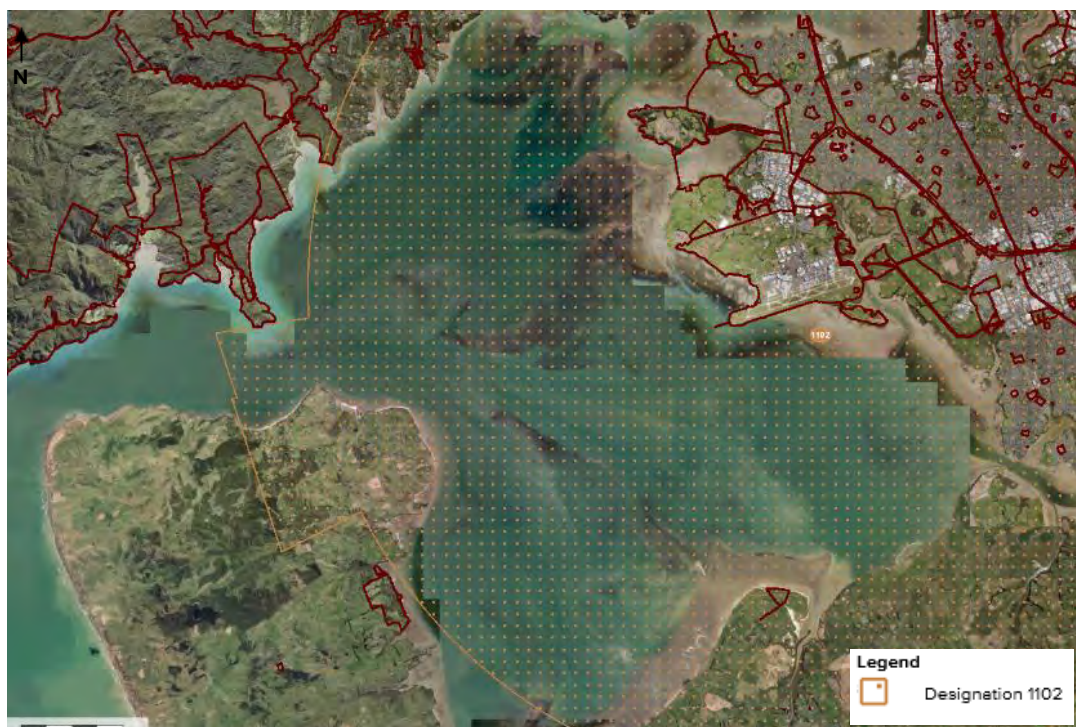
<b>Business – Light Industry Zone</b>	The Business – Light Industry Zone anticipates industrial activities that do not generate objectionable odour, dust or noise. This includes manufacturing, production, logistics, storage, transport and distribution activities. The anticipated level of amenity is lower than the centres zones, Business – General Business Zone and Business – Mixed Use Zone.
<b>General Coastal Marine Zone</b>	The purpose of the Coastal – General Coastal Marine Zone is to provide for use and development in the coastal marine area, in particular those forms of use and development that have a functional or operational need to be undertaken or located in the coastal marine area,
<b>Coastal – Minor Port Zone</b>	The purpose of the Coastal – Minor Port Zone is to provide for the integrated and efficient operation and development of particular minor ports in the Auckland region. The zone includes the Port of Onehunga, the Gabador Place wharves, the LPG Terminal in the Papakura Channel, and the Chelsea Sugar Factory Wharf.
<b>Open Space - Conservation Zone</b>	The Open Space – Conservation Zone applies to open spaces with natural, ecological, landscape, and cultural and historic heritage values. These areas include volcanic cones, bush reserves, headlands, natural wetlands and coastline and play an important role in protecting and increasing the populations of threatened and endangered species.
<b>Open Space – Community Zone</b>	The Open Space – Community Zone primarily accommodates community buildings and activities. These include libraries, arts and cultural centres, marae, community houses, halls, early childhood learning facilities and recreation centres. This zone is situated in centres, suburban and rural areas.

<b>Open Space - Informal Recreation Zone</b>	The Open Space – Informal Recreation Zone applies to open spaces that range in size from small local parks to large regional parks. These areas are used for a variety of outdoor informal recreation activities and community uses, such as walking, running, cycling, relaxing and socialising, picnics, playing and enjoying the environment.
<b>Residential - Mixed Housing Suburban</b>	The Residential – Mixed Housing Suburban Zone is the most widespread residential zone covering many established suburbs and some greenfields areas. Much of the existing development in the zone is characterised by one or two storey, mainly standalone buildings, set back from site boundaries with landscaped gardens.
<b>Special Purpose Zone (Airport)</b>	This Special Purposes Zone applies to the Auckland International Airport and its surrounds. Its purpose is to enable the efficient operation and development of the airport and the associated land and activities in recognition of its role in connecting Auckland to other parts of New Zealand and the world.
<b>Special Purpose Zone (Quarry)</b>	Mineral resources are important to Auckland's economy and development. The Special Purpose – Quarry Zone provides for significant mineral extraction activities to ensure that mineral extraction can continue in a manner that minimises adverse effects.



## Option: Manukau Harbour – Puhinui

### Designations



**Designation 9529**  
**Watercare Services Limited**

Southwestern Interceptor Line Watercare Services

**Designation 1102 Auckland**  
**Airport Obstacle Limitation**

Obstacle Limitation Surface (OLS) of an aerodrome are defined surfaces in the airspace above and adjacent to the aerodrome. These OLS are necessary to enable aircraft to maintain a satisfactory level of safety while manoeuvring at low altitude in the vicinity of the aerodrome.



## Option: Manukau Harbour – Puhinui

### Significant Ecological Area Overlay



- Significant Ecological Area**
- Marine 1
  - Marine 2
  - Terrestrial

### Schedule 3 Terrestrial Schedule Classifications

<b>Terrestrial SEA-T-4253</b>	<b>Stepping Stones, Migration pathways and Buffers</b>
<b>Terrestrial SEA-T-9030</b>	Sub-factors:
<b>Terrestrial SEA-T-9031</b>	(a) It is an example of an indigenous ecosystem, or habitat of indigenous fauna that is used by any native species permanently or intermittently for an essential part of their life cycle (e.g. known to facilitate the movement of indigenous species across the landscape, haul-out site for marine mammals) and therefore makes an important contribution to the resilience and ecological integrity of surrounding areas.
<b>Terrestrial SEA-T-9032</b>	(b) It is an example of an ecosystem, indigenous vegetation or habitat of indigenous fauna, that is immediately adjacent to, and provides protection for, indigenous biodiversity in an existing protected natural area (established for the purposes of biodiversity protection); or
	(i) it is an area identified as significant under the 'threat status and rarity' or 'uniqueness' factor. This includes areas of vegetation (that may be native or exotic) that buffer a known significant site. It does not include buffers to the buffers.

	<p>(c) It is part of a network of sites that cumulatively provide important habitat for indigenous fauna or when aggregated make an important contribution to the provision of a particular ecosystem in the landscape.</p> <p>It is a site which makes an important contribution to the resilience and ecological integrity of surrounding areas.</p>
<b>Terrestrial SEA-T-589</b>	<p><b>Threat Status and Rarity</b></p> <p>Sub-factors:</p> <ul style="list-style-type: none"> <li>(a) It is an indigenous habitat, community or ecosystem that occurs naturally in Auckland and has been assessed (using the IUCN threat classification system) to be threatened, based on evidence and expert advice (including Holdaway et al. Status assessment of NZ naturally uncommon ecosystems<sup>3</sup>).</li> <li>(b) It is a habitat that supports occurrences of a plant, animal or fungi that has been assessed by the Department of Conservation and determined to have a national conservation status of threatened or at risk; <ul style="list-style-type: none"> <li>(i) or it is assessed as having a regional threatened conservation status including Regionally Critical, Endangered and Vulnerable and Serious and Gradual Decline.</li> </ul> </li> <li>(c) It is indigenous vegetation that occurs in Land Environments New Zealand Category IV where less than 20% remains.</li> <li>(d) It is any indigenous vegetation or habitat of indigenous fauna that occurs within an indigenous wetland or dune ecosystem.</li> <li>(e) It is a habitat that supports an occurrence of a plant, animal or fungi that is locally rare; <ul style="list-style-type: none"> <li>(i) or it has been assessed by the Department of Conservation and determined to have a national conservation status of Naturally Uncommon, Range Restricted or Relict.</li> </ul> </li> </ul> <p><b>Diversity</b></p> <p>Sub-factors:</p> <ul style="list-style-type: none"> <li>(a) It is any indigenous vegetation that extends across at least one environmental gradient resulting in a sequence that supports more than one indigenous habitat, community or ecosystem type e.g., an indigenous estuary to an indigenous freshwater wetland.</li> <li>(b) It supports the expected indigenous ecosystem diversity for the habitat(s).</li> <li>(c) It is an indigenous habitat type that supports a typical species richness or species assemblage for its type.</li> </ul> <p><b>Stepping Stones, Migration Pathways and Buffers (see above)</b></p>
<b>Terrestrial SEA-T-612</b>	<p><b>Threat Status and Rarity (see above)</b></p> <p><b>Stepping Stones, Migration Pathways and Buffers (see above)</b></p>
<b>Schedule 4 Marine Schedule Classifications</b>	
<b>SEA-M1-27w1, Marine 1</b>	<b>Wading bird habitat</b>

	Wading bird habitat which includes ecotones from shellbank to saltmarsh to terrestrial vegetation.
<b>SEA-M2-27a, Marine 2</b>	<p><b>Sand flats, Puhinui Creek</b></p> <p>Area of intertidal banks and shellbanks forming a complex habitat for a variety of animal and plant communities. The extensive gently-graded sand flats support dense populations of intertidal sand flat organisms and are an excellent feeding ground for thousands of international migratory and New Zealand endemic wading birds including a number of threatened species. Much of the intertidal area consists of extensive gently-graded sand flats, inhabited by dense populations of invertebrates. Thousands of international migratory birds and New Zealand endemic waders feed on the sand flats. In the shelter of the Puhinui, Pukaki, and Waokauri Creeks are significant areas of mangroves. Those in the Puhinui Creek are some of the oldest mangroves in the harbour and have batchelor's button meadows on the fringe in places. Banded rail, fernbird and marsh crake.</p>
<b>SEA-M2-27b, Marine 1</b>	<p><b>Wiroa Island</b></p> <p>An artificial roost has been constructed at Wiroa Island and this is widely used by coastal birds. Waders also use this roost, which is the major roost on the Manukau Harbour.</p>
<b>SEA-M1-27c, Marine 1</b>	<p><b>Shellbanks</b></p> <p>The associated shellbanks at Puhinui are used as a high tide roost by thousands of international migratory birds and New Zealand endemic waders. The saltmarsh is impounded behind the shellbanks and is one of the biggest and least disturbed areas of saltmarsh remaining in the Manukau Harbour. Banded rail, and fern bird inhabit the saltmarsh, and the regionally threatened herb <i>Nertera scapanioides</i> ('regionally critical') and nationally threatened Maori musk <i>Mimulus repens</i> ('naturally uncommon') have been reported here. There are intact vegetation ecotones between the shellbank vegetation, the saltmarsh vegetation and into the kanuka forest with kahikatea and rimu on the shore.</p>
<b>SEA-M2-30a, Marine 2</b>	<p><b>Seagrove – intertidal banks</b></p> <p>Area of intertidal banks and shellbanks forming a complex habitat for a variety of animal and plant communities. The extensive gently-graded predominantly fine sand flats support the greatest diversity and abundance of intertidal sand flat organisms in the Manukau Harbour. They are an excellent feeding ground for many thousands of international migratory and New Zealand endemic wading birds including a number of threatened species.</p>
<b>SEA-M2- 30w2, Marine 2</b>	<p><b>Wading Bird Habitat</b></p> <p>Extensive areas of feeding habitat for waders along this coastline.</p>

**Option: Manukau Harbour – Puhinui**

**Wetland Management Area**

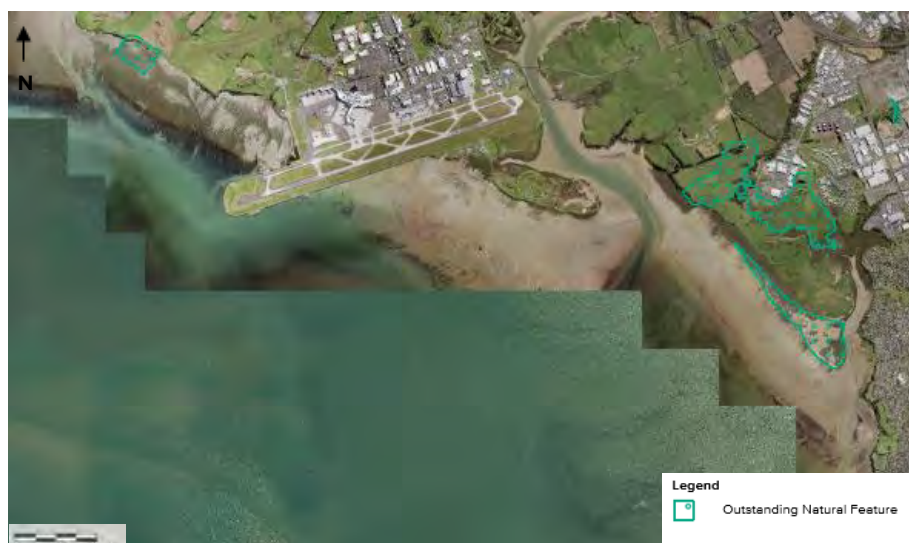


**Schedule 1 Wetland Management Area Schedule**

<b>819 Puhinui Reserve</b>	<b>Ecological Values:</b> Coastal manuka, flax, cabbage tree, swamp coprosma in association with extensive shoreline saltmarsh.
----------------------------	---

## Option: Manukau Harbour - Puhinui

### Outstanding Natural Feature



### Schedule 6 Outstanding Natural Features Overlay Schedule

#### **Matukutūreia and Matukuturua lava field and tuff ring**

(ID 93)

The Matukuturua lava field is one of the best preserved lava fields remaining in the Auckland volcanic field and is an important representative example of the volcanic lava terrain that underlies much of the city. The lava field erupted from McLaughlin's Mountain (Matukutūreia) volcano. Most of the original scoria cone and a section of the lava field in the north have been quarried away. Associated with the lava field is a section of tuff ring remaining from the early phases of the eruption. A small wetland has formed behind the ridge of tuff.

Location: Wiri

Site Type: V (Large Volcanic landform)

Plan Criteria: a, c, d, e, g, h, i

#### **Puhinui intertidal banks and shellbanks**

(ID163)

An area of dynamic shellbanks at the mouth of Puhinui Creek is one of the best examples on the Manukau Harbour. The shellbanks and intervening intertidal banks also form a complex of habitats for a variety of animal and plant communities.

Location: Manukau Harbour

Site Type: C

Plan Criteria: a, c, e, g, h, i

#### **Puhinui Volcanic explosion (ID164)**

Three, small, elongate (200-250m) craters (Pond, Arena, Eroded) each sit at the top of a small (7-8m high) tuff cone forming the hills of Puhinui Reserve. Pond Crater retains a small freshwater lake in the crater; Arena Crater is filled to the overflow level with lake sediment; and Eroded Crater has a small stream eroded through the middle of it.

This is the only cluster of small explosion craters in the Auckland Volcanic field.

---

Location: Wiri

Site Type: V

Plan Criteria: a, b, c, d, g, h, i, l

---



**Option: Manukau Harbour – Puhinui**

**Sites and Places of Significance to Manu Whenua**



**Schedule 12 Sites and Places of Significance to Mana Whenua Schedule**

**Matukuturua Stonefields**

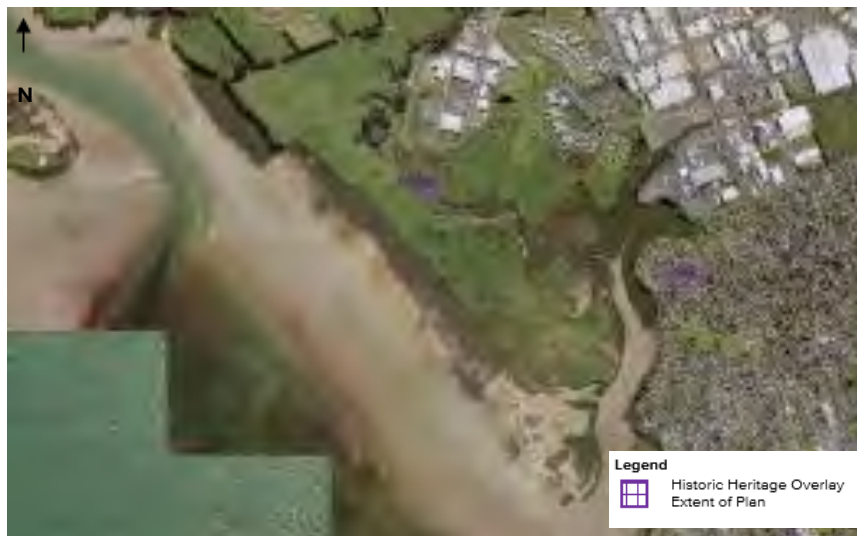
Description: Matukuturua Stonefields

**Maunga Matukuturia**

Description: McLaughlins Mountain

## Option 7: Manukau Harbour - Puhinui

### Historic Heritage and Special Character



#### Puhinui Fish Traps

<b>Heritage Category:</b>	A, meaning historic heritage places of outstanding significance well beyond their immediate environ, generally expected to be of significance to the Auckland region or a greater geographic area
<b>Primary Feature</b>	Entire Site
<b>Heritage Values</b>	A, C, D and H
<b>Requires Additional Rules for Archaeological Sites or Features</b>	Yes
<b>Place of Maori Interest</b>	Yes





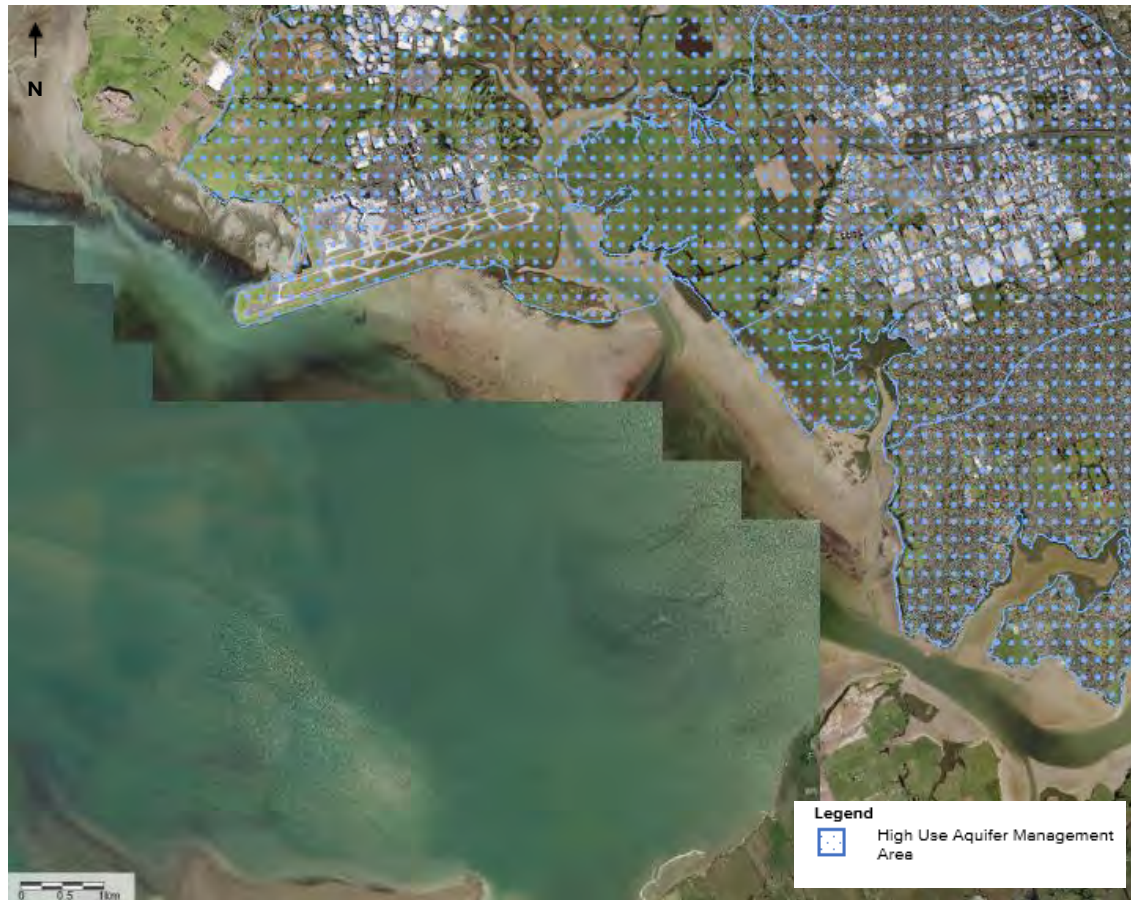
**High Use Stream  
Management Overlay**

A number of streams in Auckland are under pressure from demands to take water or use water. The high use of these streams creates conflicts between the amount of water being abstracted, the amount of water needed for assimilating the adverse effects of discharges, and the amount of water required to maintain ecological values and base flows. Management of high-use streams can be particularly difficult during summer months when stream flows are generally at their lowest.

The High Use Stream Management Overlay identifies an area where specific provisions apply with respect to the taking, using, damming and diversion of water and drilling, and biosolids within these areas.

## Option: Manukau Harbour - Puhinui

### High Use Aquifer Management Area



#### High Use Aquifer Management Area

Aquifers in the High-use Aquifer Management Areas Overlay require careful management of water availability to meet user needs and at the same time maintain base flows for surface streams.

Withing this area, specific provisions apply with respect to the taking, using, damming and diversion of water and drilling, and biosolids within these areas

#### Manukau Southeast Kaawa

Refers to Kaawa Formation only. It may be overlain by Auckland volcanic field or Tauranga Group which are not included. The underlying Waitematā Group is not included.

- Water Availability (m<sup>3</sup>/year): 1,080,000

#### Manukau Waitematā Aquifer

Includes all rocks of the Waitematā Group, but not the overlying Tauranga Group or Kaawa Formation

- Water Availability (m<sup>3</sup>/year): 660,000

## Option: Manukau Harbour - Puhinui

### Stormwater Management Area Control



#### Puhinui Flow 1

Catchments which discharge to sensitive or high value streams that have relative low levels of existing impervious areas.

Future development and redevelopment is still enabled in these areas, but is subject to standards to reduce stormwater runoff to protect Auckland's aquatic biodiversity and other values from further decline and enhance them where possible.



## Option: Manukau Harbour - Puhinui

### Quality Sensitive Aquifer Management Areas



#### Wiri Volcanic Aquifer

The Quality-sensitive Aquifer Management Areas Overlay contains aquifers that are shallow and unconfined and therefore susceptible to pollution from surface sources such as excess fertiliser application or discharges of contaminants such as stormwater or sewage. The potential for contamination is highest in the volcanic aquifers where discharge to aquifers is most direct. These aquifers are important sources of water for rural and industrial purposes, as well as providing base flow to surface streams in some areas

## Option: Manukau Harbour - Puhinui

### Macroinvertebrate Community Index

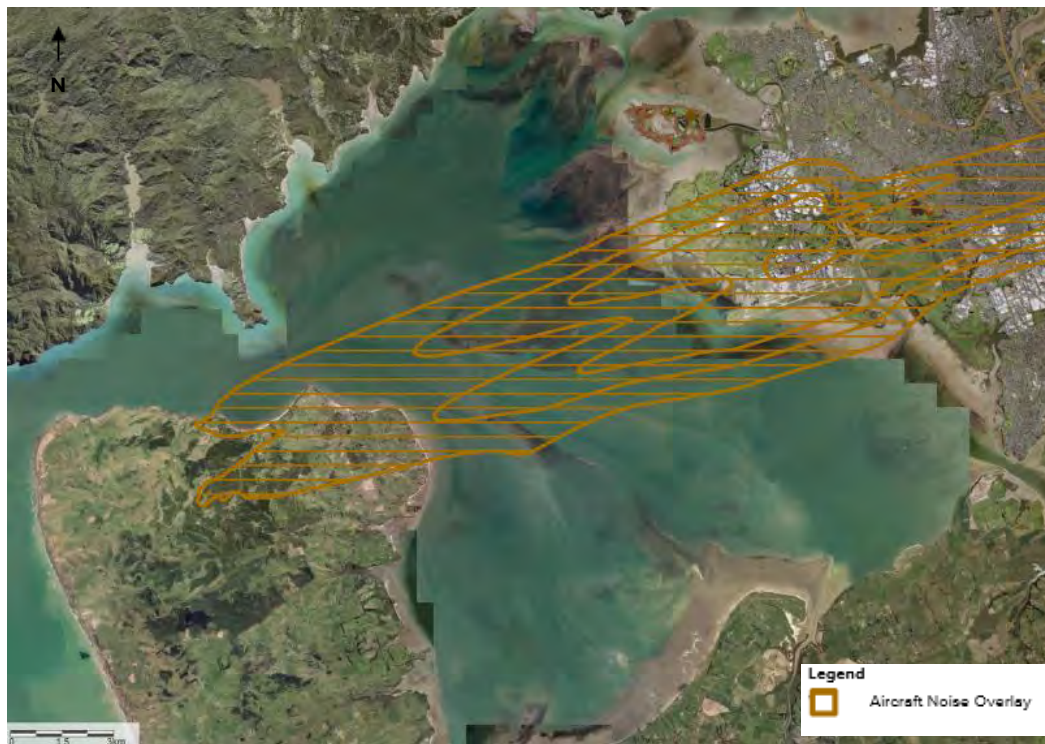


#### Index

The landward areas of the site are overlaid of three identified macroinvertebrate community indices, including Exotic, Native and Rural.

These indices are used to inform water quality and integrated management responses on land.

These overlays only apply to those activities within the landward area of the wider Puhinui site.



---

**Aircraft Noise Overlay**

The purpose of the Aircraft Noise Overlay is to manage the subdivision of land and location of activities sensitive to aircraft noise in areas of high cumulative noise around the region's airports and airfields, so that the continued operation of the airports and airfields is not compromised and reverse sensitivity issues are addressed.

---





---

**Auckland Airport Sub-Precinct Coastal**

The precinct applies to the Auckland International Airport and its surrounds. Its purpose is to enable the efficient operation and development of the airport and the associated land and activities in recognition of its role in connecting Auckland to other parts of New Zealand and the world. The Auckland Airport Precinct is comprised of three sub-precincts: Core Sub-precinct, Gateway Sub-precinct and Coastal Sub-precinct.

---

**Motorsport Sub-Precinct Colin Dale Park**

The purpose of the Motorsport Precinct is to enable the ongoing use and further development of these three locations, while recognising the effects associated with motorsport activities, such as noise and traffic generation.

---

## Option: Manukau Harbour – Puhinui

### Cable Protection Areas Control



#### **Cable Protection Area Controls**

Within these areas control are imposed to ensure the appropriate authorities are notified of cable locations. Written notice must be given to the Council and the National Topographic/Hydro Authority at LINZ at least five working days prior to any works commencing in these areas.

Controls are also imposed on anchorage within these areas.



**Option: Manukau Harbour – Puhinui**

**Coastal Inundation**



**Coastal Inundation 1 per cent AEP Plus 1m**

Specific provisions relating to the management of natural hazards apply to areas located within the Coastal Inundation 1% AEP plus 1m mapped area of the site.

**Option: Manukau Harbour – Puhinui****High Level Consent requirements<sup>2</sup>**

<b>Overall likely activity status</b>	<ul style="list-style-type: none"><li>• Non-complying</li></ul>
<b>Reclamation</b>	<ul style="list-style-type: none"><li>• Reclamation where it is necessary for the safe and efficient operation or construction of infrastructure:<sup>3</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone: Discretionary</li><li>• Within Significant Ecological Areas Marine 1 and 2, Outstanding Natural Features and Area of Historic Heritage: Non-complying</li></ul></li></ul>
<b>Depositing and disposal of material</b>	<ul style="list-style-type: none"><li>• Deposition of material in the CMA not otherwise provided for in the rules:<sup>4</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone: Discretionary</li><li>• Within Significant Ecological Areas Marine 1 and 2, Outstanding Natural Features and Area of Historic Heritage: Non-complying</li></ul></li><li>• Disposal of waste or other matter in the coastal marine area, limited to dredged material, vessels, platforms or other structures: Discretionary<sup>5</sup></li></ul>
<b>Dredging</b>	<ul style="list-style-type: none"><li>• Maintenance dredging<sup>6</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone: Restricted Discretionary</li><li>• Within Significant Ecological Areas Marine 2: Discretionary</li><li>• Within Significant Ecological Areas Marine 1 and 2, Outstanding Natural Features and Area of Historic Heritage: Non-complying</li></ul></li><li>• Capital works dredging<sup>7</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone and Significant Ecological Area Marine 2: Discretionary</li><li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Features and Area of Historic Heritage: Non-complying</li></ul></li></ul>
<b>CMA Disturbance</b>	<ul style="list-style-type: none"><li>• CMA disturbance related to engineering investigations<sup>8</sup><ul style="list-style-type: none"><li>• Within the General Coastal Marine Zone and Significant Ecological Area Marine 2: Permitted</li><li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Features and Area of Historic Heritage: Discretionary</li></ul></li><li>• CMA disturbance associated with movement of greater than 10,000m<sup>3</sup> of sediment per year within the same coastal cell, where it is required for the safe and efficient operation or construction of significant infrastructure<sup>9</sup></li></ul>

<sup>2</sup> This list is not intended to be a complete list of all consents required under the AUP. Instead it identifies the key likely and potential resource consents required under Sections D to F of the AUP. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

<sup>3</sup> Auckland Unitary Plan, Rule F2.19.1 (A4)

<sup>4</sup> Auckland Unitary Plan, Rule F2.19.2 (A10)

<sup>5</sup> Auckland Unitary Plan, Rule F2.19.2 (A12)

<sup>6</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>7</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>8</sup> Auckland Unitary Plan, Rule F2.19.3 (A25)

<sup>9</sup> Auckland Unitary Plan, Rule F2.19.3 (A25)

	<ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone and Significant Ecological Areas Marine 2: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Features and Area of Historic Heritage: Non-complying</li> <li>• Native vegetation alteration or removal, not otherwise provided for<sup>10</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Restricted Discretionary</li> <li>• Within the Significant Ecological Areas Marine 2: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Features and Area of Historic Heritage: Non-complying</li> </ul> </li> <li>• Mangrove removal to enable the operation, maintenance and use and functioning of infrastructure:<sup>11</sup> <ul style="list-style-type: none"> <li>• Greater than 200m<sup>2</sup> in the General Coastal Marine Zone, Significant Ecological Area Marine 2: Discretionary</li> <li>• Greater than 30m<sup>2</sup> in Significant Ecological Areas Marine 1, Outstanding Natural Features: D</li> </ul> </li> </ul>
<b>Discharges</b>	<ul style="list-style-type: none"> <li>• All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for ((assumes impervious surface area will be greater than 5000m<sup>2</sup>): Discretionary<sup>12</sup></li> <li>• Development of a new or redevelopment of existing impervious areas other than for road, motorway or state highway purposes: Restricted Discretionary or Discretionary<sup>13</sup></li> <li>• Discharges into coastal water not otherwise provided for in the Plan:<sup>14</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Areas Marine 2 and Areas of Historic Heritage: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Features: Non-complying</li> </ul> </li> </ul>
<b>Use and Activities (within the CMA)</b>	<ul style="list-style-type: none"> <li>• Occupation of the common marine and coastal marine area: Discretionary<sup>15</sup></li> <li>• Maintenance and servicing of vessels:<sup>16</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Permitted</li> <li>• Within the Significant Ecological Areas Marine 2, Areas of Historic Heritage: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1 and Outstanding Natural Features: Non-complying</li> </ul> </li> </ul>

<sup>10</sup> Auckland Unitary Plan, Rule F2.19.3 (A42)  
<sup>11</sup> Auckland Unitary Plan, Rule F2.19.3 (A48)  
<sup>12</sup> Auckland Unitary Plan, Rule E8.4.1(A10)  
<sup>13</sup> Auckland Unitary Plan Rule E10.4.1(A3) or (A4)  
<sup>14</sup> Auckland Unitary Plan, Rule F2.19.7(A70)  
<sup>15</sup> Auckland Unitary Plan, Rule F2.19.8 (A84)  
<sup>16</sup> Auckland Unitary Plan, Rule F2.19.8 (A89)

	<ul style="list-style-type: none"> <li>• Parking on CMA structures other than as provided for as permitted activity: Discretionary<sup>17</sup></li> <li>• Vehicle use of the foreshore and seabed, not otherwise provided for:<sup>18</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Areas Marine 2: Permitted</li> <li>• Within Significant Ecological Areas Marine 1, Outstanding Natural Features and Areas of Historic Heritage: Non-complying</li> </ul> </li> <li>• Underwater blasting, impact and vibratory piling, marine seismic surveys: Restricted Discretionary Activity<sup>19</sup></li> </ul>
<b>Structures</b>	<ul style="list-style-type: none"> <li>• CMA Structures and buildings not provided for elsewhere in the plan:<sup>20</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Discretionary</li> <li>• Within Significant Ecological Areas Marine 1 and 2, Outstanding Natural Features and Areas of Historic Heritage: Non-complying</li> </ul> </li> <li>• Occupation associated with CMA structures<sup>21</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Areas Marine 1 and 2 and Outstanding Natural Features: Restricted Discretionary</li> <li>• Within Areas of Historic Heritage: Discretionary</li> </ul> </li> <li>• Temporary Coastal Marine Structures:<sup>22</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone and Significant Ecological Areas Marine 2: Permitted</li> <li>• Within Significant Ecological Areas Marine 1 and Outstanding Natural Features: Discretionary</li> </ul> </li> <li>• Infrastructure CMA structures not otherwise provided for: Discretionary<sup>23</sup></li> <li>• Marine and port facilities and buildings not on an existing wharf or CMA structure:<sup>24</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Area Marine 2 and Areas of Historic Heritage: Discretionary</li> <li>• Significant Ecological Areas Marine 1 and Outstanding Natural Features: Non-complying</li> </ul> </li> <li>• Marine and port accessory structures and services not on an existing wharf or CMA structure:<sup>25</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone, Significant Ecological Area Marine 2 and Areas of Historic Heritage: Discretionary</li> </ul> </li> </ul>

<sup>17</sup> Auckland Unitary Plan, Rule F2.19.8 (A94)

<sup>18</sup> Auckland Unitary Plan, Rule F2.19.8 (A96)

<sup>19</sup> Auckland Unitary Plan, Rule F2.19.8 (114)

<sup>20</sup> Auckland Unitary Plan, Rule F2.19.10(A121)

<sup>21</sup> Auckland Unitary Plan, Rule F2.19.10(A127)

<sup>22</sup> Auckland Unitary Plan, Rule F2.19.10(A128)

<sup>23</sup> Auckland Unitary Plan, Rule F2.19.10(A133)

<sup>24</sup> Auckland Unitary Plan, Rule F2.19.10(A139)

<sup>25</sup> Auckland Unitary Plan, Rule F2.19.10(A140)

	<ul style="list-style-type: none"> <li>Significant Ecological Areas Marine 1 and Outstanding Natural Features: Non-complying</li> </ul>
<b>Earthworks</b>	<ul style="list-style-type: none"> <li>Greater than 2500m<sup>3</sup> earthworks: Restricted Discretionary<sup>26</sup></li> <li>Land disturbance greater than 5m<sup>3</sup> in a Significant Ecological Coastal Area: Restricted Discretionary<sup>27</sup></li> <li>Earthworks greater than 250m<sup>3</sup><sup>28</sup> <ul style="list-style-type: none"> <li>Within an Outstanding Natural Feature and Heritage Feature: Restricted Discretionary</li> <li>Within a Site and Place of Significance to Mana Whenua: Discretionary</li> </ul> </li> <li>Land disturbance greater than 50,000m<sup>2</sup> where land has a slope less than 10 degrees outside the Sediment Control Protection Area: Restricted Discretionary<sup>29</sup></li> </ul>
<b>Vegetation Removal</b>	<ul style="list-style-type: none"> <li>Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>30</sup></li> <li>Any activities in, on, under or over wetlands (in Wetland Management Areas) not otherwise provided for: Non-complying<sup>31</sup></li> <li>New reclamation or drainage within the Wetland Management Area: Non-complying<sup>32</sup></li> <li>Vegetation alteration or removal, including cumulative removal on a site over a 10-year period, of greater than 250m<sup>2</sup> of indigenous vegetation that:(a) is contiguous vegetation on a site or sites existing on 30 September 2013; and (b) is outside the rural urban boundary; Restricted discretionary<sup>33</sup></li> <li>Vegetation alteration or removal within a Wetland Management Area: Discretionary<sup>34</sup></li> <li>Vegetation alteration or removal of greater than 25m<sup>2</sup> of contiguous vegetation, or tree alteration or tree removal of any indigenous tree over 3m in height, within 20-50m of mean high water springs: Restricted Discretionary<sup>35</sup></li> <li>Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>36</sup></li> </ul>
<b>Buildings and Structures</b>	<ul style="list-style-type: none"> <li>Buildings and Structures within the following Outstanding Natural Features: <sup>37</sup></li> </ul>

<sup>26</sup> Auckland Unitary Plan, Rule E12.4.1(A10)

<sup>27</sup> Auckland Unitary Plan, Rule E11.4.3 (A30)

<sup>28</sup> Auckland Unitary Plan, Rule E12.4.2 (A33)

<sup>29</sup> Auckland Unitary Plan, Rule E11.4.1 (A5)

<sup>30</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>31</sup> Auckland Unitary Plan, Rule E3.4.1(A1)

<sup>32</sup> Auckland Unitary Plan, Rule E3.4.1(A49)

<sup>33</sup> Auckland Unitary Plan Rule E15.4.1 (A10)

<sup>34</sup> Auckland Unitary Plan Rule E15.4.1 (A11)

<sup>35</sup> Auckland Unitary Plan Rule E15.4.1 (A20-21))

<sup>36</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>37</sup> Auckland Unitary Plan, Rule D 10.4.2 (A1)

	<ul style="list-style-type: none"> <li>• Puhinui Volcanic Explosion Crater (type V): RD</li> <li>• Matukutūreia and Matukuturua lava field and tuff ring (type V): NC</li> <li>• Within Puhinui intertidal banks and shellbanks (type C): NC</li> <li>• Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>38</sup></li> <li>• Buildings and structures within Sites and Places of Significance to Mana Whenua: Discretionary<sup>39</sup></li> </ul>
<b>Heritage</b>	<ul style="list-style-type: none"> <li>• Demolition or destruction (more than 70%) of a Heritage Feature: Prohibited<sup>40</sup></li> <li>• Demolition or destruction (between 30-70%) of a Heritage Feature: Non-complying<sup>41</sup></li> <li>• Relocation of Heritage Features (within extent of place): Non-complying<sup>42</sup></li> <li>• Relocation of Heritage Features (outside of extent of place): Prohibited<sup>43</sup></li> <li>• Buildings and structures within a Heritage Feature: Discretionary<sup>44</sup></li> </ul>
<b>Lighting and Noise</b>	<ul style="list-style-type: none"> <li>• Activities that do not comply with the permitted lighting standards: Restricted Discretionary<sup>45</sup></li> <li>• Activities that do not comply with the relevant permitted noise standards: Restricted Discretionary<sup>46</sup></li> </ul>

---

<sup>38</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>39</sup> Auckland Unitary Plan, Rule 21.4.1 (A5)

<sup>40</sup> Auckland Unitary Plan, Rule D17.4.1(A1)

<sup>41</sup> Auckland Unitary Plan, Rule D17.4.1(A2)

<sup>42</sup> Auckland Unitary Plan, Rule D17.4.1(A3)

<sup>43</sup> Auckland Unitary Plan, Rule D17.4.1(A4)

<sup>44</sup> Auckland Unitary Plan, Rule D17.4.1(A10)

<sup>45</sup> Auckland Unitary Plan, Rule E24.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.

<sup>46</sup> Auckland Unitary Plan, Rule E25.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.

## **Appendix J**

### Hikihiki Planning Summary

## Option: Manukau Harbour - Hikihihi

### Approximate Location of Hikihihi Site



#### Description

The Hikihihi Site is located within the Manukau Harbour, on the western reaches of the Hikihihi Bank. The establishment of a new port at this site will likely include:

- The establishment of a new reclaimed island on the Hikihihi Bank, adjacent to the Papakura Channel. The proposed island port would occupy a footprint of approximately 250 hectares;
- Dredging activities to increase the depth of the channels, albeit less than the capital and maintenance dredging associated with the Puhinui site;
- Construction of two new bridges to provide access to and from the port; and,
- The development of new or extension of existing transportations links between the bridges and the existing transportation networks.

#### Information Source

Auckland Unitary Plan

#### Statutory

##### Acknowledgement Areas

Within three Treaty Settlement Statutory Acknowledgement Areas, including those relating to Ngai Tai ki Tamaki, Ngāti Tamaoho, Te Kawerau ā Maki.

Other iwi with interests in the Manukau Harbour are

- Ngāti Te Ata
- Ngāti Paoa
- Ngāti Maru
- Te Akitai Waiohū
- Ngāti Whatua o Orakei
- Ngāti Tamatera and Tainui

#### Zones

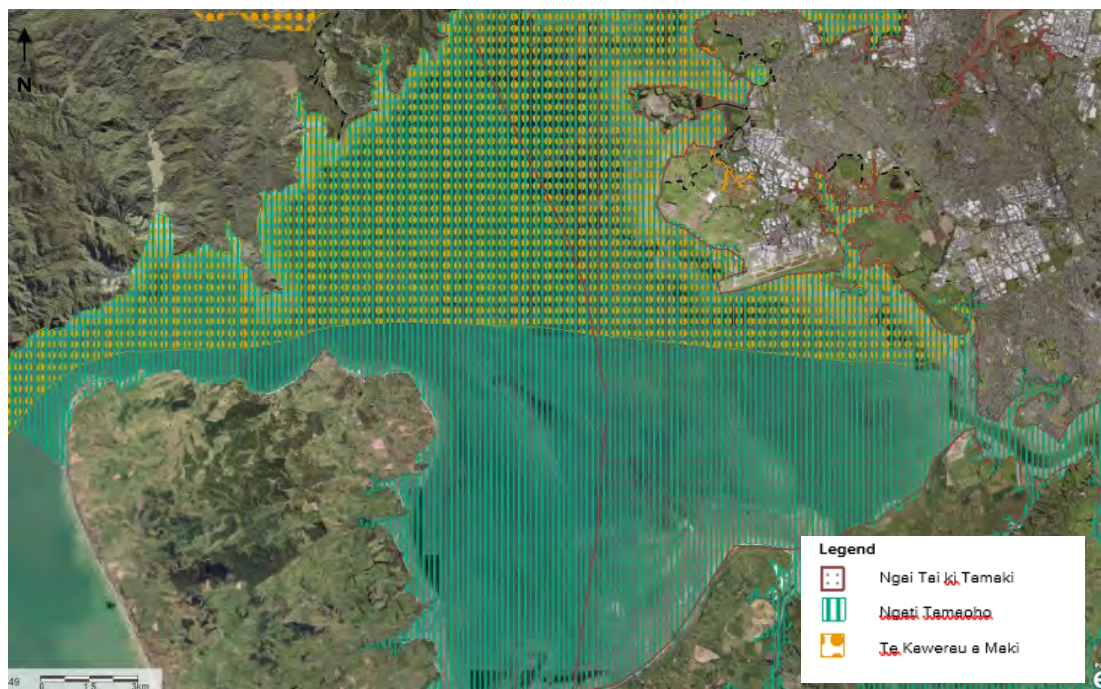
General Coastal Marine Zone



<b>Surrounding Zones</b>	<ul style="list-style-type: none"> <li>• Open Space – Informal Recreation</li> <li>• Residential – Mixed Use Suburban</li> <li>• Rural – Rural Coastal Zone</li> </ul>
<b>Designations</b>	<ul style="list-style-type: none"> <li>• Designation 1102 Auckland Airport Obstacle Limitation</li> </ul>
<b>Overlays<sup>1</sup></b>	<ul style="list-style-type: none"> <li>• Partially located within a Significant Ecological Area Marine 2</li> </ul>
<b>Overall likely activity status for a resource consent (CMA only)</b>	<ul style="list-style-type: none"> <li>• Non-complying</li> </ul>

---

<sup>1</sup> For the purposes of this evaluation, this section includes all Precincts, Overlays and Controls as shown on the Auckland Unitary Planning Maps.



---

**Treaty Settlement Area**

Within the following Treaty Settlement Statutory Acknowledgement Areas:

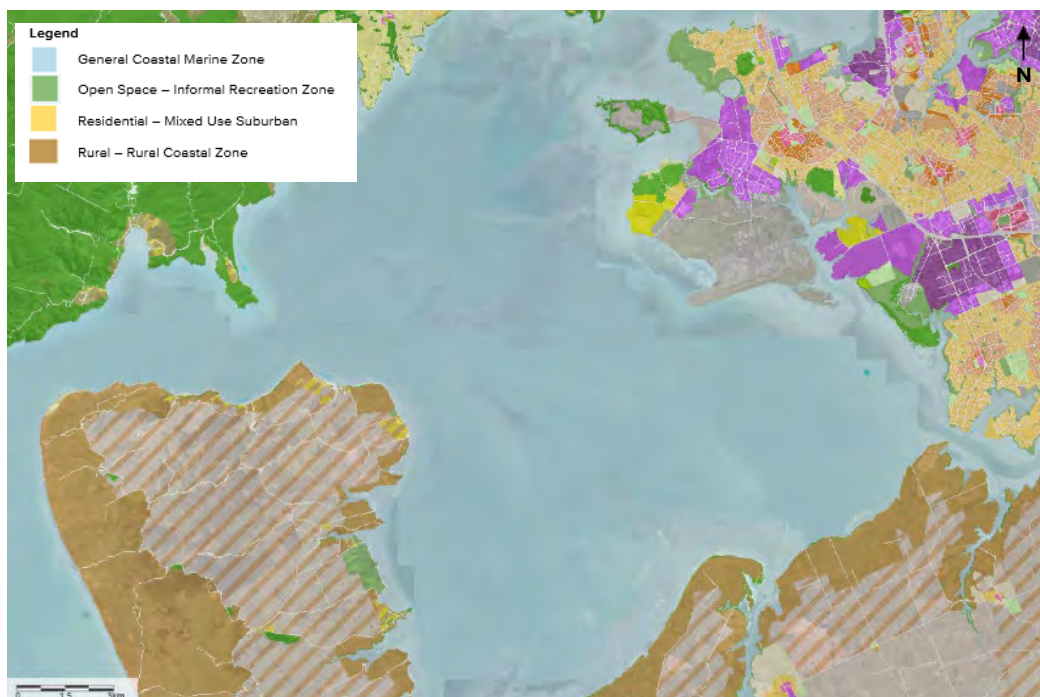
- Ngai Tai ki Tamaki
- Ngati Tamaoho
- Te Kawerau a Maki.

Other iwi with interests in the Manukau Harbour are

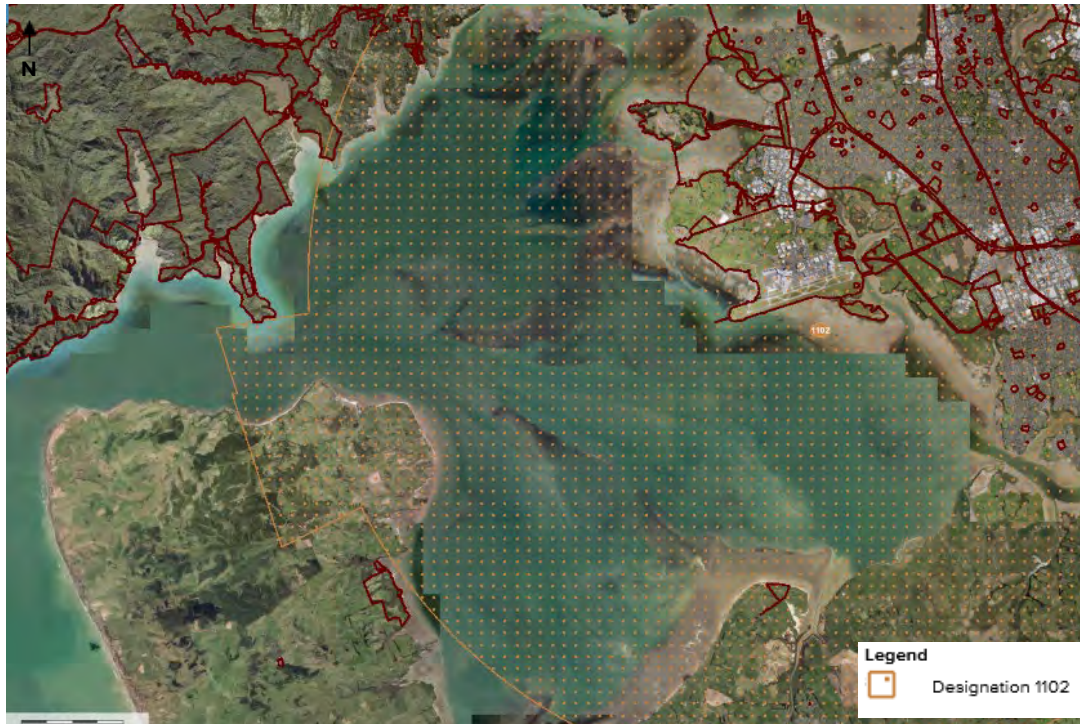
- Ngāti Te Ata
  - Ngāti Paoa
  - Ngāti Maru
  - Te Akitai Waiohū
  - Ngāti Whatua o Orakei
  - Ngāti Tamatera and Tainui
-

## Option: Manukau Harbour – Hikihiki

### Zones



<b>General Marine Zone</b>	The purpose of the Coastal – General Coastal Marine Zone is to provide for use and development in the coastal marine area, in particular those forms of use and development that have a functional or operational need to be undertaken or located in the coastal marine area,
<b>Open Space - Informal Recreation Zone</b>	The Open Space – Informal Recreation Zone applies to open spaces that range in size from small local parks to large regional parks. These areas are used for a variety of outdoor informal recreation activities and community uses, such as walking, running, cycling, relaxing and socialising, picnics, playing and enjoying the environment.
<b>Residential - Mixed Housing Suburban</b>	The Residential – Mixed Housing Suburban Zone is the most widespread residential zone covering many established suburbs and some greenfields areas. Much of the existing development in the zone is characterised by one or two storey, mainly standalone buildings, set back from site boundaries with landscaped gardens.
<b>Rural - Rural Coastal Living Zone</b>	The purpose of the Rural – Rural Coastal Zone is to retain and enhance the rural character and amenity values, local coastal character and biodiversity values of rural areas along Auckland’s harbours, estuaries and coastline. It is also to enable rural production activities, local non-residential activities, maintain recreational opportunities and manage the effects of existing scattered rural lifestyle development.



**Designation 1102 Auckland  
Airport Obstacle Limitation**

Obstacle Limitation Surface (OLS) of an aerodrome are defined surfaces in the airspace above and adjacent to the aerodrome. These OLS are necessary to enable aircraft to maintain a satisfactory level of safety while manoeuvring at low altitude in the vicinity of the aerodrome.



## Option: Manukau Harbour – Hikihiki

### Significant Ecological Area Overlay



<b>Significant Ecological Area</b>	Marine 2
------------------------------------	----------

#### Schedule 4 Marine Schedule Classifications

<b>SEA-M2-30a, Marine 2</b>	<b>Seagrove – intertidal banks</b>  Area of intertidal banks and shellbanks forming a complex habitat for a variety of animal and plant communities. The extensive gently-graded predominantly fine sand flats support the greatest diversity and abundance of intertidal sand flat organisms in the Manukau Harbour. They are an excellent feeding ground for many thousands of international migratory and New Zealand endemic wading birds including a number of threatened species.
<b>SEA-M2- 30w2, Marine 2</b>	<b>Wading Bird Habitat</b>  Extensive areas of feeding habitat for waders along this coastline.

**Option: Manukau Harbour – Hikihiki****High Level Consent requirements<sup>2</sup>**

<b>Overall likely activity status</b>	<ul style="list-style-type: none"> <li>Non-complying</li> </ul>
<b>Reclamation</b>	<ul style="list-style-type: none"> <li>Reclamation where it is necessary for the safe and efficient operation or construction of infrastructure:<sup>3</sup> <ul style="list-style-type: none"> <li>Within the General Coastal Marine Zone: Discretionary</li> <li>Within Significant Ecological Areas Marine 2: Non-complying</li> </ul> </li> </ul>
<b>Depositing and disposal of material</b>	<ul style="list-style-type: none"> <li>Deposition of material in the CMA not otherwise provided for in the rules:<sup>4</sup> <ul style="list-style-type: none"> <li>Within the General Coastal Marine Zone: Discretionary</li> <li>Within Significant Ecological Areas Marine 2: Non-complying</li> </ul> </li> <li>Disposal of waste or other matter in the coastal marine area, limited to dredged material, vessels, platforms or other structures: Discretionary<sup>5</sup></li> </ul>
<b>Dredging</b>	<ul style="list-style-type: none"> <li>Maintenance dredging<sup>6</sup> <ul style="list-style-type: none"> <li>Within the General Coastal Marine Zone: Restricted Discretionary</li> <li>Within Significant Ecological Areas Marine 2: Discretionary</li> </ul> </li> <li>Capital works dredging within the General Coastal Marine Zone and Significant Ecological Area Marine 2: Discretionary<sup>7</sup></li> </ul>
<b>CMA Disturbance</b>	<ul style="list-style-type: none"> <li>CMA disturbance associated with movement of greater than 10,000m<sup>3</sup> of sediment per year within the same coastal cell, where it is required for the safe and efficient operation or construction of significant infrastructure within the General Coastal Marine Zone and Significant Ecological Areas Marine 2: Discretionary<sup>8</sup></li> <li>Native vegetation alteration or removal, not otherwise provided for<sup>9</sup> <ul style="list-style-type: none"> <li>Within the General Coastal Marine Zone: Restricted Discretionary</li> <li>Within the Significant Ecological Areas Marine 2: Discretionary</li> </ul> </li> <li>Mangrove removal to enable the operation, maintenance and use and functioning of infrastructure greater than 200m<sup>2</sup> in the General Coastal Marine Zone and Significant Ecological Area Marine 2: Discretionary<sup>10</sup></li> </ul>
<b>Discharges</b>	<ul style="list-style-type: none"> <li>All other diversion and discharge of stormwater runoff from impervious areas not otherwise provided for ((assumes impervious surface area will be greater than 5000m<sup>2</sup>): Discretionary<sup>11</sup></li> </ul>

<sup>2</sup> This list is not intended to be a complete list of all consents required under the Auckland Unitary Plan. Instead it identifies the key likely and potential resource consents required under Sections D to F of the Auckland Unitary Plan. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

<sup>3</sup> Auckland Unitary Plan, Rule F2.19.1 (A4)

<sup>4</sup> Auckland Unitary Plan, Rule F2.19.2 (A10)

<sup>5</sup> Auckland Unitary Plan, Rule F2.19.2 (A12)

<sup>6</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>7</sup> Auckland Unitary Plan, Rule F2.19.3 (A23)

<sup>8</sup> Auckland Unitary Plan, Rule F2.19.3 (A25)

<sup>9</sup> Auckland Unitary Plan, Rule F2.19.3 (A42)

<sup>10</sup> Auckland Unitary Plan, Rule F2.19.3 (A48)

<sup>11</sup> Auckland Unitary Plan, Rule E8.4.1(A10)

	<ul style="list-style-type: none"> <li>• Development of a new or redevelopment of existing impervious areas other than for road, motorway or state highway purposes: Restricted Discretionary or Discretionary<sup>12</sup></li> <li>• Discharges into coastal water not otherwise provided for in the Plan within the General Coastal Marine Zone and Significant Ecological Areas Marine 2: Discretionary<sup>13</sup></li> </ul>
<b>Use and Activities (within the CMA)</b>	<ul style="list-style-type: none"> <li>• Occupation of the common marine and coastal marine area: Discretionary<sup>14</sup></li> <li>• Maintenance and servicing of vessels: <sup>15</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Permitted</li> <li>• Within the Significant Ecological Areas Marine 2: Discretionary</li> </ul> </li> <li>• Parking on CMA structures other than as provided for as permitted activity: Discretionary<sup>16</sup></li> <li>• Underwater blasting, impact and vibratory piling, marine seismic surveys: Restricted Discretionary Activity<sup>17</sup></li> </ul>
<b>Structures</b>	<ul style="list-style-type: none"> <li>• CMA Structures and buildings not provided for elsewhere in the plan:<sup>18</sup> <ul style="list-style-type: none"> <li>• Within the General Coastal Marine Zone: Discretionary</li> <li>• Within Significant Ecological Areas Marine: Non-complying</li> </ul> </li> <li>• Occupation associated with CMA structures within the General Coastal Marine Zone and Significant Ecological Areas Marine 2: Restricted Discretionary<sup>19</sup></li> <li>• Infrastructure CMA structures not otherwise provided for: Discretionary<sup>20</sup></li> <li>• Marine and port facilities and buildings not on an existing wharf or CMA structure within the General Coastal Marine Zone and Significant Ecological Area Marine 2: Discretionary <sup>21</sup></li> <li>• Marine and port accessory structures and services not on an existing wharf or CMA structure within the General Coastal Marine Zone and Significant Ecological Area Marine 2: Discretionary<sup>22</sup></li> </ul>
<b>Earthworks</b>	<ul style="list-style-type: none"> <li>• Greater than 2500m<sup>3</sup> earthworks: Restricted Discretionary<sup>23</sup></li> <li>• Land disturbance greater than 5m<sup>3</sup> in a Significant Ecological Coastal Area: Restricted Discretionary <sup>24</sup></li> </ul>

<sup>12</sup> Auckland Unitary Plan Rule E10.4.1(A3) or (A4)

<sup>13</sup> Auckland Unitary Plan, Rule F2.19.7(A70)

<sup>14</sup> Auckland Unitary Plan, Rule F2.19.8 (A84)

<sup>15</sup> Auckland Unitary Plan, Rule F2.19.8 (A89)

<sup>16</sup> Auckland Unitary Plan, Rule F2.19.8 (A94)

<sup>17</sup> Auckland Unitary Plan, Rule F2.19.8 (114)

<sup>18</sup> Auckland Unitary Plan, Rule F2.19.10(A121)

<sup>19</sup> Auckland Unitary Plan, Rule F2.19.10(A127)

<sup>20</sup> Auckland Unitary Plan, Rule F2.19.10(A133)

<sup>21</sup> Auckland Unitary Plan, Rule F2.19.10(A139)

<sup>22</sup> Auckland Unitary Plan, Rule F2.19.10(A140)

<sup>23</sup> Auckland Unitary Plan, Rule E12.4.1(A10)

<sup>24</sup> Auckland Unitary Plan, Rule E11.4.3 (A30)

<b>Vegetation Removal</b>	<ul style="list-style-type: none"> <li>• Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>25</sup></li> <li>• Vegetation alteration or removal, including cumulative removal on a site over a 10-year period, of greater than 250m<sup>2</sup> of indigenous vegetation that:(a) is contiguous vegetation on a site or sites existing on 30 September 2013; and(b) is outside the rural urban boundary; Restricted discretionary<sup>26</sup></li> <li>• Vegetation alteration or removal of greater than 25m<sup>2</sup> of contiguous vegetation, or tree alteration or tree removal of any indigenous tree over 3m in height, within 20-50m <b>of mean high water springs</b>: Restricted Discretionary<sup>27</sup></li> <li>• Vegetation alteration or removal (other than in the CMA) that does not comply with the relevant standards in E15.6: Discretionary<sup>28</sup></li> </ul>
<b>Lighting and Noise</b>	<ul style="list-style-type: none"> <li>• Activities that do not comply with the permitted lighting standards: Restricted Discretionary<sup>29</sup></li> <li>• Activities that do not comply with the relevant permitted noise standards: Restricted Discretionary<sup>30</sup></li> </ul>

---

<sup>25</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>26</sup> Auckland Unitary Plan Rule E15.4.1 (A10)

<sup>27</sup> Auckland Unitary Plan Rule E15.4.1 (A20-21))

<sup>28</sup> Auckland Unitary Plan, Rule E15.4.2 (A24)

<sup>29</sup> Auckland Unitary Plan, Rule E24.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.

<sup>30</sup> Auckland Unitary Plan, Rule E25.4.1 (A2) – for the purposes of this evaluation has been assumed that the relevant lighting standards cannot be achieved.



## **Appendix K**

### Kumeu Planning Summary

## Option: Kumeu Inland Port

### Approximate Location of Kumeu Inland Port



<b>Description</b>	<p>The specific location of the inland port has yet to be determined, however the development of an inland port will likely include one or all of the following, on the outskirts of Kumeu:</p> <ul style="list-style-type: none"><li>• Development of a 90 hectare inland port facility (the approximate equivalent to the logistics and inland port services at Ruakura, Hamilton);</li><li>• Development of railway sidings to and from existing rail networks; and</li><li>• Intersection and roading upgrades to provide connectivity from the site, to the state highway network.</li></ul>
<b>Information Source</b>	Auckland Unitary Plan
<b>Treaty Settlement Area</b>	Located within the Treaty Settlement Statutory Acknowledgement Area for Te Kawerau a Maki.
<b>Zones</b>	<p>To the west of Kumeu are land use zone primarily comprise of:</p> <ul style="list-style-type: none"><li>• Future Urban Zone</li><li>• Rural - Mixed Rural Zone</li><li>• Rural – Countryside Living Zone</li><li>• Rural – Rural Production Zone</li></ul>

	To the south of Kumeu, the predominant land use zone is Rural- Countryside Living Zone. Areas of Rural – Rural Production Zone are located beyond this to the west.
<b>Surrounding Zones</b>	<ul style="list-style-type: none"> <li>• Business – Light Industry Zone</li> <li>• Business - Mixed Use Zone</li> <li>• Business – Town Centre Zone</li> <li>• Future Urban Zone</li> <li>• Open Space – Sport and Active Recreation Zone</li> <li>• Residential – Single House Zone</li> <li>• Residential – Mixed Housing Suburban Zone</li> <li>• Rural - Mixed Rural Zone</li> <li>• Rural – Countryside Living Zone</li> <li>• Rural – Rural Production Zone</li> </ul>
<b>Designations</b>	<p>To the west of Kumeu:</p> <ul style="list-style-type: none"> <li>• Designation 4311 Airspace Restrictions Designation</li> <li>• Designation 6300 – KiwiRail Holdings Limited</li> <li>• Designation 6500 New Zealand Refining Componay Limited</li> <li>• Designation 6766 – NZ Transport Agency</li> <li>• Designation 9100 First Gas Limited</li> <li>• Designation 9101 First Gas Limited</li> </ul> <p>To the south of Kumeu</p> <ul style="list-style-type: none"> <li>• Designation 6300 – KiwiRail Holdings Limited</li> <li>• Within Designation 4311 Airspace Restrictions Designation</li> </ul>
<b>Overlays<sup>1</sup></b>	<ul style="list-style-type: none"> <li>• Likely to be located outside of the Rural Urban Boundary.</li> <li>• Areas to the west of Kumeu, between Huapai and Waimauku, located within a High-Use Stream Management Areas Overlay.</li> <li>• Located within a High-Use Aquifer Management Area.</li> <li>• Macroinvertebrate community index</li> <li>• Emergency Management control Area traverses the south west of Kumeu</li> <li>• National Grid Corridor Overlay</li> <li>• Level crossings with sightlines control located both to the west and south of Kumeu.</li> <li>• One area of Historic Heritage Overly Extent of Place located to the south of Kumeu.</li> </ul>

<sup>1</sup> For the purposes of this evaluation, this section includes all Precincts, Overlays and Controls as shown on the Auckland Unitary Planning Maps.

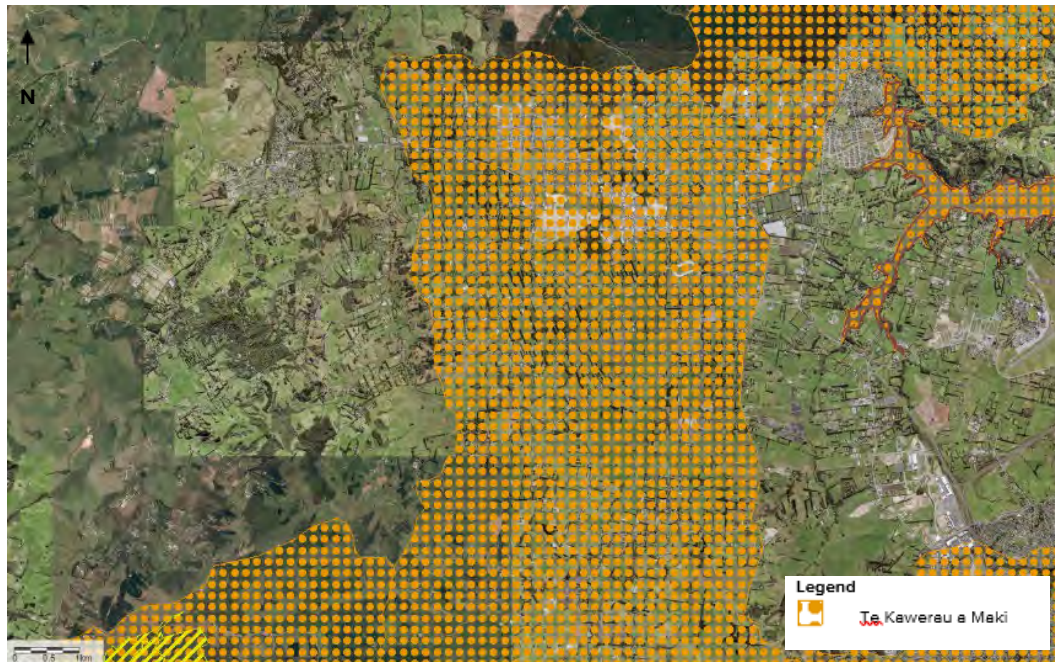
- 
- Subdivision Variation Control located to the south of Kumeu.

Overlays applying outside of the likely proposed inland port

- Significant Ecological Areas – Terrestrial areas located to the north of Kumeu and Huapai.
  - Outstanding natural landscape located to the north-west of Kumeu.
  - Natural Stream Management Areas Overlay located to the north of Kumeu and Huapai.
  - Stormwater Management Control Area within central Kumeu and Huapai.
  - Number of Notable Trees located within the Kumeu township.
  - Central areas of Kumeu are located within a Height Variation Control.
-

**Option : Kumeu Inland Port**

**Treaty Settlement – Statutory Acknowledgement Area**



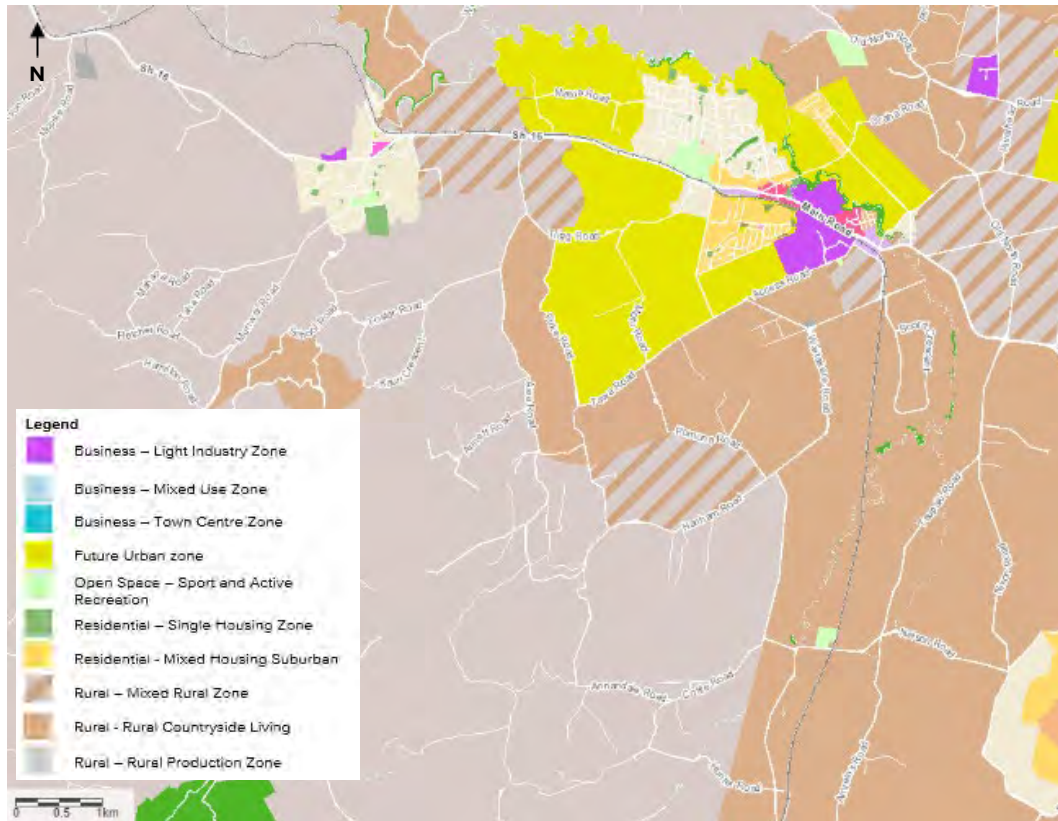
**Statutory Acknowledgement Area**

Within the Treaty Settlement Statutory Acknowledgement Area for Te Kawerau ā Maki.



## Option : Kumeu Inland Port

### Zones



#### Business – Light Industry Zone

The Business – Light Industry Zone anticipates industrial activities that do not generate objectionable odour, dust or noise. This includes manufacturing, production, logistics, storage, transport and distribution activities. The anticipated level of amenity is lower than the centres zones, Business – General Business Zone and Business – Mixed Use Zone.

#### Business – Mixed Use Zone

The Business – Mixed Use Zone is typically located around centres and along corridors served by public transport. It acts as a transition area, in terms of scale and activity, between residential areas and the Business – City Centre Zone, Business – Metropolitan Centre Zone and Business – Town Centre Zone. It also applies to areas where there is a need for a compatible mix of residential and employment activities.

#### Business – Town Centre Zone

The Business – Town Centre Zone applies to suburban centres throughout Auckland, the satellite centres of Warkworth and Pukekohe, and the rural towns of Helensville and Wellsford. The centres are typically located on main arterial roads, which provide good public transport access.

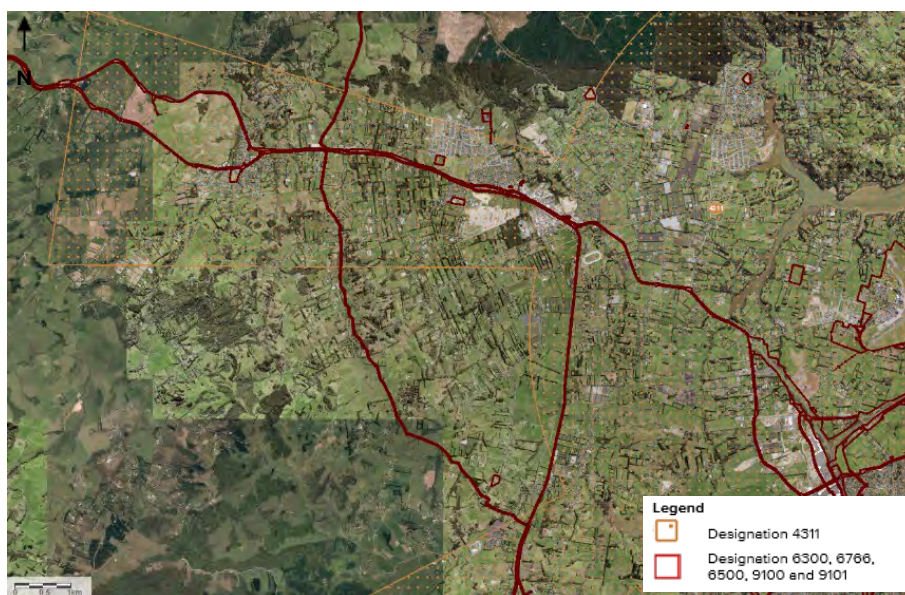
#### Future Urban Zone

The Future Urban Zone is applied to greenfield land that has been identified as suitable for urbanisation. The Future Urban Zone is a transitional zone. Land may be used for a range of general rural

	activities but cannot be used for urban activities until the site is rezoned for urban purposes.
<b>Residential – Single Housing Zone</b>	The purpose of the Residential – Single House Zone is to maintain and enhance the amenity values of established residential neighbourhoods in number of locations. The particular amenity values of a neighbourhood may be based on special character informed by the past, spacious sites with some large trees, a coastal setting or other factors such as established neighbourhood character.
<b>Residential - Mixed Housing Suburban</b>	The Residential – Mixed Housing Suburban Zone is the most widespread residential zone covering many established suburbs and some greenfields areas. Much of the existing development in the zone is characterised by one or two storey, mainly standalone buildings, set back from site boundaries with landscaped gardens.
<b>Rural – Mixed Rural Zone</b>	The purpose of the Rural – Mixed Rural Zone is to provide for rural production, generally on smaller rural sites and non-residential activities of a scale compatible with smaller site sizes.
<b>Rural – Rural Countryside Living Zone</b>	This zone provides for rural lifestyle living in identified areas of rural land which are generally closer to urban Auckland or rural and coastal towns. There is a diversity of topography, land quality and landscape character within the zone which results in a diversity of site sizes.
<b>Rural – Rural Production Zone</b>	The purpose of the Rural – Rural Production Zone is to provide for the use and development of land for rural production activities and rural industries and services, while maintaining rural character and amenity values.

## Option: Kumeu Inland Port

### Designations



#### **Designation 4311 Whenuapai Airfield Approach and Departure Path Protection**

Protection of approach and departure paths at Whenuapai Air Base.

#### **Designation 6300 North Auckland Railway Line**

The purpose of the designation is to develop, operate and maintain railways, railway lines, railway infrastructure, and railway premises as defined in the Railways Act 2005.

#### **Designation 6500 Petroleum Pipeline – Rural Sections**

The designation by The New Zealand Refining Company Limited (Refining NZ) is for the operation, maintenance and repair, upgrade and renewal of the existing petroleum transmission pipeline and ancillary facilities as required for the transportation of refined fuel products

#### **Designation 6766 State Highway 16**

Stage Highway 16 from Brigham Creek, Hobsonville to State Highway 1, Wellsford

#### **Designation 9100 Gas Pipeline Transmission**

The designation by First Gas Limited (First Gas) is for:

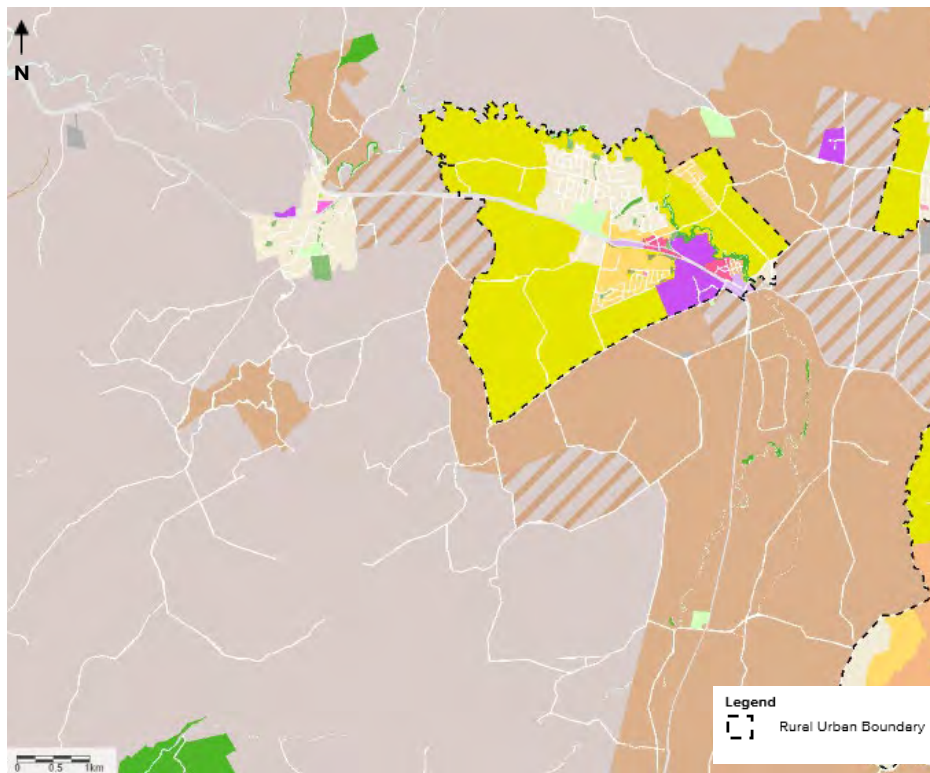
- The design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary facilities between First Gas's Taupaki Compressor Station (known as the Henderson Valley Compressor Station) at Amreins Road, Taupaki and Ararimu Road near Waitoki (a length of approximately 19.5 kilometres).
- The design, construction, operation, maintenance, repair, upgrade and renewal of a new gas transmission pipeline and ancillary facilities between Ararimu Valley Road and Punganui Station, Kaukapakapa (a length of approximately 9.5 kilometres).
- The design, construction, operation, maintenance, repair, upgrade and renewal of new off take and other facilities at the Henderson



	Valley Compressor Station. d. The design, construction, operation, maintenance, repair, upgrade and renewal of new gas metering and pressure regulation equipment and ancillary facilities (known as a "delivery point") at Punganui Station, Kaukapakapa.
<b>Designation 9101 Gas Pipeline Transmission</b>	<p>The designation by First Gas Limited (First Gas) is for the operation, maintenance and repair, upgrade and renewal of the existing gas transmission pipeline and ancillary facilities as required for the transportation of gas and described as follows:</p> <ul style="list-style-type: none"> <li>• The existing 200mm gas transmission pipeline between McEntee Road and the Henderson Valley Compressor Station at Amreins Road;</li> <li>• The existing 150mm gas transmission pipeline between the Henderson Valley Compressor Station and the Kaipara District Council boundary near Vipond Road;</li> <li>• The Henderson Valley Compressor Station;</li> <li>• The Delivery Points at Waimauku, Waitoki, Warkworth and Wellsford;</li> <li>• The Main Line Valve station at Kanohi; and f. The Offtake station at Kaipara Flats.</li> </ul>

## Option: Kumeu Inland Port

### Rural Urban Boundary

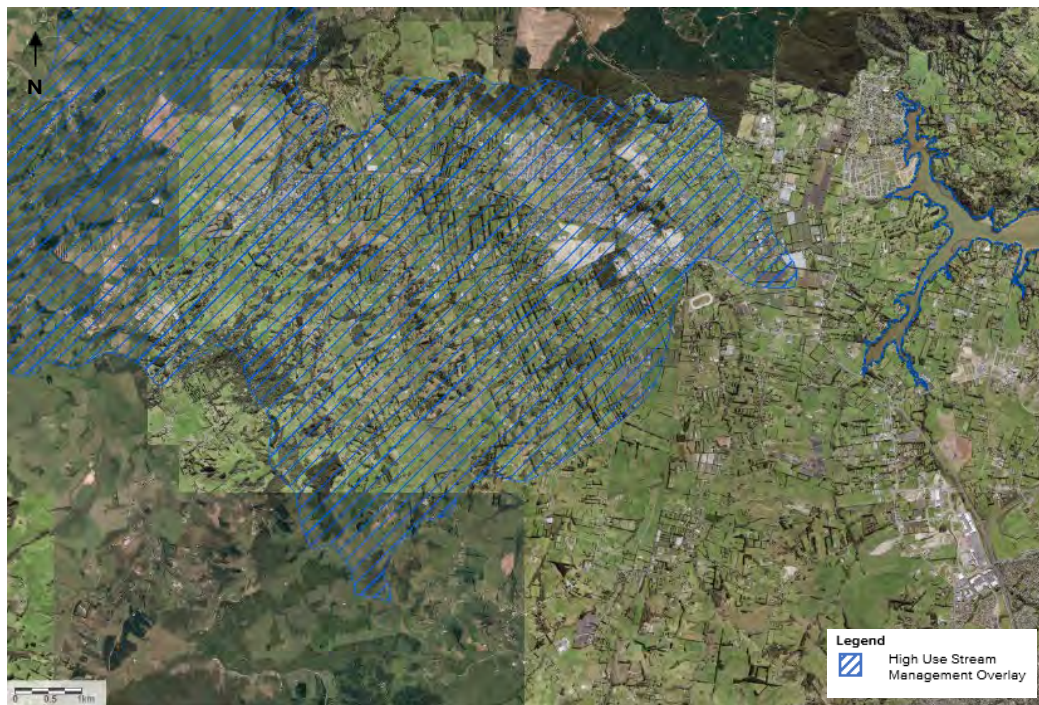


### Rural Urban Boundary

Identifies the Rural Urban Boundary which is used to implement different district planning methods.

## Option: Kumeu Inland Port

### High Use Stream Management Overlay



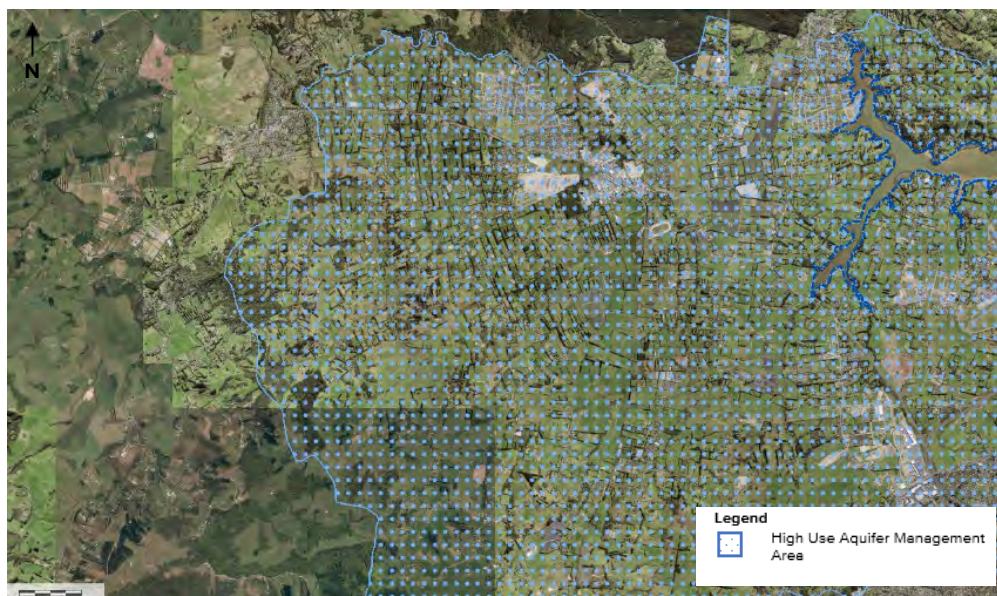
#### High Use Stream Management Overlay

A number of streams in Auckland are under pressure from demands to take water or use water. The high use of these streams creates conflicts between the amount of water being abstracted, the amount of water needed for assimilating the adverse effects of discharges, and the amount of water required to maintain ecological values and base flows. Management of high-use streams can be particularly difficult during summer months when stream flows are generally at their lowest.

The High Use Stream Management Overlay identifies an area where specific provisions apply with respect to the taking, using, damming and diversion of water and drilling, and biosolids within these areas.

## Option: Kumeu Inland Port

### High Use Aquifer Management Area



---

#### High Use Aquifer Management Area

Aquifers in the High-use Aquifer Management Areas Overlay require careful management of water availability to meet user needs and at the same time maintain base flows for surface streams.

Withing this area, specific provisions apply with respect to the taking, using, damming and diversion of water and drilling, and biosolids within these areas

---

#### Kumeu Waitemata Aquifer

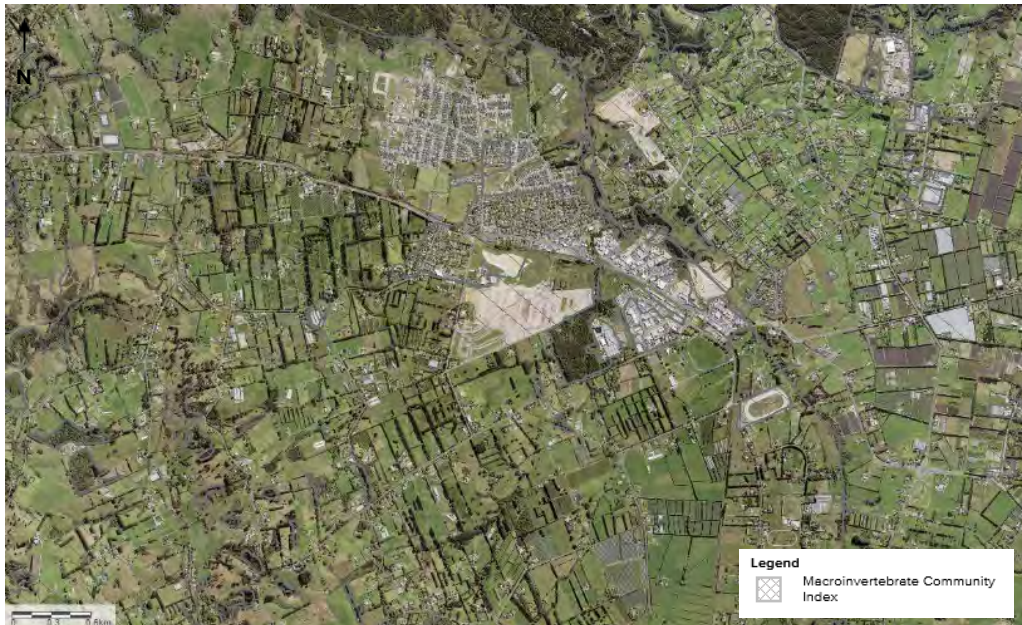
Refers to all aquifers below the ground surface shown on the overlay.

---



## Option: Kumeu Inland Port

### Macroinvertebrate Community Index



#### Index

The wider site area is overlaid by a Rural macroinvertebrate community index. This index is used in the AUP to inform water quality and integrated management responses on land.

## Option: Kumeu Inland Port

### Historic Heritage and Special Character



#### Residence

<b>Category</b>	B, means a historic heritage place that is of considerable significance to a locality or greater geographic area.
<b>Primary Feature</b>	Entire Site
<b>Heritage Values</b>	A, D, F and H
<b>Exclusions</b>	Interior of building



## Option: Kumeu Inland Port

### Emergency Management Control Area



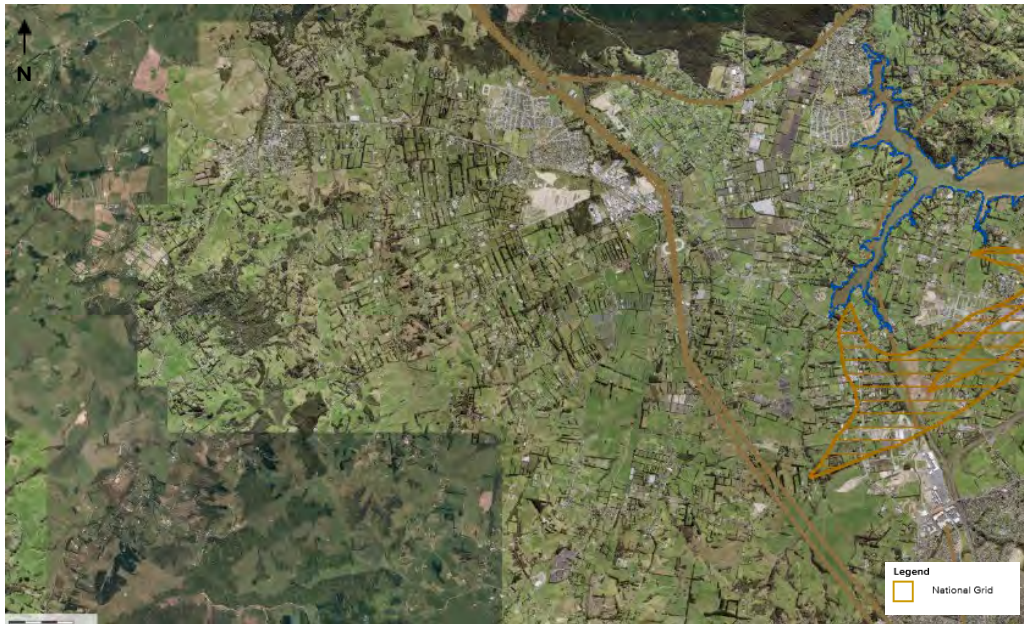
#### High Pressure Refinery to Auckland Petroleum Pipeline

This overlay relates to the High Pressure Refinery to Auckland Petroleum Pipeline.

The plan applies specific provisions to these areas, however it is likely any future inland port can avoid locating in such areas.

## Option: Kumeu Inland Port

### Infrastructure National Grid



#### The National Grid

The purpose of the National Grid Corridor Overlay is to manage sensitive activities and potentially incompatible development (including land disturbance) within close proximity to the National Grid in order to:

- prevent risks to people and property;
- protect the National Grid;
- preserve line access for inspection and maintenance;
- preserve a corridor for the operation, maintenance, upgrade and development of National Grid infrastructure; and
- manage potential reverse sensitivity effects.

It is likely that a future inland port can avoid these areas.



## Option: Kumeu Inland Port

### Level Crossing with Sightlines



#### Level Crossings with Sightlines

Level crossings with sightlines are identified in the AUP to delineate areas where buildings and other visual obstructions should be avoided in order to maintain safe, effective and efficient operation of the rail network.

**Option: Kumeu Inland Port**

**Subdivision Variation Control**



---

<b>Subdivision Variation Control Area</b>	Rural, Mumeu – Huapai
---	-----------------------

---

Option: Kumeu Inland Port	
High Level Consent requirements <sup>2</sup>	
Overall likely activity status	<ul style="list-style-type: none"> <li>• Non-complying</li> </ul>
Industrial Activities	<ul style="list-style-type: none"> <li>• Activities not provided for elsewhere in the zone: non-complying<sup>3</sup></li> </ul>

---

<sup>2</sup> This list is not intended to be a complete list of all consents required under the Auckland Unitary Plan. Instead it identifies the key likely and potential resource consents required under Sections D to F of the Auckland Unitary Plan. A detailed analysis of development plans will need to be undertaken to confirm actual consent requirements for each site.

<sup>3</sup> Auckland Unitary Plan, Proposed Rule H19.8.1 (AA2). Note this rule was introduced via Plan Change 20 to the AUP. Decisions were released on 4 February 2020. Accordingly the rule has legal effect.